

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51376 of 2014

Arising Out of PS.Case No. -24 Year- 2012 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Sanjay Kumar S/o Sikendra Yadav Resident of Village Tamua, Police
Station Chhatapur, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Archana W/o Sanjay Kumar Resident of Village Tamua, P.S. Chhatapur,
District Supaul, at present F/o Sri Anmol Pd. Mandal, Resident of Village
Murliganj, Ward No. 12, P.S. Murliganj, District Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Dr.Rabindra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

06/ 30-10-2015

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein processes have been directed to be issued after
cognizance being taken for the offences punishable under
Sections 498A of the Indian Penal Code and 4 of Dowry
Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

The petitioner and the complainant are present

in the Court.

It is submitted by learned counsel for the petitioner that, though, the complainant is ready to resume the conjugal life but the petitioner is not ready to accept the offer of the complainant since the petitioner filed Matrimonial Suit No. 151 of 2011 with a prayer for divorce on the ground of adultery on 19.10.2011 and thereafter the present complaint was filed on 09.01.2012. It is further submitted that in pursuance to the order passed in quashing proceeding the petitioner is making payment of Rs.750/- to the complainant.

It is submitted by learned counsel for the complainant that the complainant is ready to resume the conjugal life and the petitioner is not making payment of the amount as directed in the quashing proceeding.

Considering the lodging of the matrimonial suit at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Complaint Case No.



24C of 2012, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be
accepted by the learned court below on giving substantial proof
with regard to up-to-date payment of entire maintenance
amount as directed in the quashing proceeding.



DKS/

(Dinesh Kumar Singh, J.)

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