

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14727 of 2015

Arising Out of PS.Case No. -544 Year- 2014 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Krishna Kumar Singh son of Shankar Singh, resident of village- Gangoi,
P.s.- Ishuapur, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. Manisha Devi, Wife of Krishan Kumar Singh, Daughter of Nand Kishore
Singh, resident of village- Baiju Bhdhoga, P.S.- Bashant Pur, District-
Siwan, presently residing at village- Gangoi, P.S.- Isuapur, District- Saran at
Chapra

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. R.P.S.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 3 of the Dowry Prohibition Act.

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

The marriage between the petitioner and complainant on 11.12.2012 is admitted. It is submitted by



the learned counsel for the petitioners that the petitioner filed Matrimonial Suit No. 1350 of 2013 on 13.12.2013, thereafter the present Complaint has been filed on 22.02.2014 and the marriage between the complainant and petitioner has not been consummated. Hence, reconciliation does not appear to be feasible at this venture. The petitioner is ready to make payment of Rs. 15,00/- per month from March, 2015 to the complainant by depositing the same in her account by second week of every month.

Considering the fact that the matrimonial case was lodged at earlier point of time by the petitioner and the present stand of the petitioner, 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran at Chapra in connection with Complaint Case No. 544 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

It is expected from the petitioner to serve a copy of this order to the complainant.

It is expected from the complainant to submit the

bank account number by filing the same on affidavit before the learned court below within a period of three weeks. The aforesaid payment will be subject to any order being passed in matrimonial or maintenance proceedings.

Three consecutive defaults in making payment will give liberty to the complainant to file application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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