

Arising Out of PS.Case No. -601 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

.... Petitioner/s

1. The State of Bihar
2. Rahmtun Nisha Daughter of Md. Sahabul Resident of Village - Hal Baida, P.S. - Amdabad, District - Katihar.

Appearance :

For the Opposite Party/s : Mr. J.N.Thakur(App)

03 17-03-2015

Heard learned counsels for the petitioner and

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which cognizance has been taken for the offences punishable under Sections 498A/34 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 marriage between the petitioner and the complainant is admitted.

It is submitted by learned counsel for the petitioner that the petitioner has not performed second marriage and is still ready to keep the complainant as wife with full dignity and honour.

The offer is not acceptable to the complainant, who is present, since the petitioner has performed second marriage.

In the alternative the petitioner is ready to pay Rs.1500- per month from April, 2015 to the complainant by depositing the same in her account by second week of every month.

The offer is acceptable to the complainant and she undertakes to submit her bank account number on affidavit before the learned court below within a period of two weeks.

Considering the present stand of the parties, 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 Sub-divisional Judicial Magistrate, Katihar in connection with Complaint Case No. 601 of 2013, subject to the conditions as laid down under Section 438(2)

of the Cr.P.C.

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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