

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38628 of 2015

Arising Out of PS.Case No. -1463 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Swaraj Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh

For the Opposite Party/s : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that marriage between the petitioner and complainant is admitted. The petitioner filed Matrimonial Suit No. 99 of 2014 on 24.03.2014 with a prayer for divorce wherein the complainant appeared and filed W.S. on 15.07.2014 and thereafter on 20.08.2014, the present complaint has been filed. It is further submitted that in the

matrimonial suit, the learned court below directed the petitioner to make payment of ₹5,000/- per month to the complainant.

Considering the matrimonial case filed at earlier point of time, and the petitioner's undertaking to make monthly payment as directed by the learned court below, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Vaishali at Hajipur in connection with Complaint Case No. 1463 of 2014 , subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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