

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6542 of 2016

Arising Out of PS.Case No. -663 Year- 2014 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

=====

1. Uday Kumar, son of Jawahar Lal Coudhary resident of Village- Shanti Nagar Giridih Pachambha, near the clinic of Dr. Kiran Kaushal, P.S.- Giridih Town, District- Giridih.

.... Petitioner/s

Versus

1. The State of Bihar
2. Alka Bharti, W/o Uday Kumar & D/o Sunil Kumar Choudhary, resident of Mohalla- Naya Tola, Opposite Sadar Hospital, P.S.- Jehanabad, District- Jehanabad.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-06-2016 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/34 of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demand and getting the pregnancy terminated.

It is submitted by the learned counsel for the petitioner that petitioner admits that marriage with the



complainant and now the issue has been resolved between the parties as both sides decided to part ways. Though, Matrimonial Suit No. 292 of 2015 has been filed with a prayer for divorce therein an application under Section 13B of the Hindu Marriage Act has been filed with the agreement that the petitioner will make payment of permanent alimony of Rs. 4,00,000/-.

It is submitted by the learned counsel for the complainant that complainant is not disputing the factum of compromise. He further submits that she has only received Rs. 1,00,000/-. A decree has also been passed under Section 13B of the Hindu Marriage Act.

Considering the present stand of the parties, let the above named petitioner be released on 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 J.M., Ist Class, Jehanabad in connection with Complaint Case No. 663 of 2014, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

It is expected from the learned Principal Judge, Family Court, Jehanabad to see that the terms of compromise has been complied by both the sides.

It is submitted by the learned

counsel for the complainant that complainant will file appropriate application with regard to the present stand of the parties in the present complaint petition after receiving the agreed amount of Rs. 4,00,000/- as the permanent alimony amount.

It is expected from the concerned court to dispose of the application in accordance with law.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--