

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5882 of 2016

Complaint Case No. -56 Year- 2015 Thana -PATNA COMPLAINT CASE District- PATNA

Santosh Kumar, son of Sri Siya Ram Mandal

.... Petitioner/s

Versus

- 1. State of Bihar
- 2. Neha Kumari, daughter of Rameshwar Prasad

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuber Pathak, Advocate

For the Opposite Party/s : Mr. M.K.Nirala(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2016 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 Sections 323, 341,498A,504,506 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant but the marriage has been dissolved vide a decree passed in H.M.O.P. No.54/2014 by the senior Civil Judge Sangareddy in the state of

Andhra Pradesh and now the petitioner has performed second marriage. However, the petitioner is ready to make payment of Rs.2,000/- per month to the complainant from March, 2016 by depositing the same in the bank account of the complainant by second week of every month.

Learned counsel for the complainant, on instruction, submits that the complainant is ready to accept the offer of the petitioner and undertakes to submit bank account on affidavit before the learned court below within a period of two weeks.

Considering the present stand of the petitioner, 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 twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Patna in connection with Complaint Case No.56 C of 2015 , subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid payment will be subject to any order being passed by the appellate court.

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

The present order will not preclude the parties to
reconcile the issues otherwise.

(Dinesh Kumar Singh, J)

Ashwini/-

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