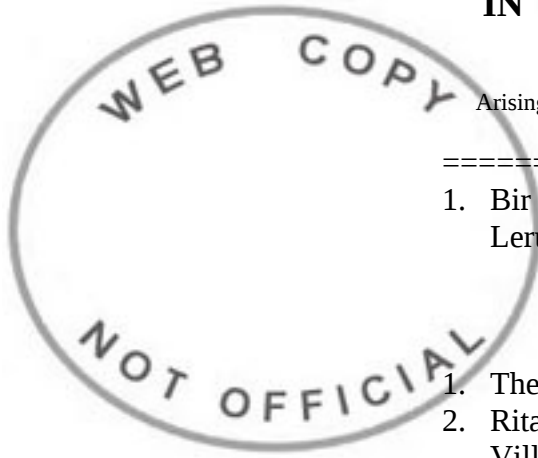




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16825 of 2016

Arising Out of PS.Case No. -1425 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Bir Bahadur Singh Son of Ram Bachan Singh, Resident of Village-
Lerua, P.S. - Sasaram (M), District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rita Devi, W/o Bir Bahadur Singh, D/o Sudarshan Singh, Resident of
Village - Lerua, P.S. - Sasaram (M), District - Rohtas. At present -
Village - Lebra, P.S. - Nokha, District - Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Md.Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 20-10-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture for non-fulfilment of dowry demand after 14 years of marriage.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant but now the petitioner and the complainant decided to part ways. A joint application has been filed today to the effect that both sides decided to part ways on payment of

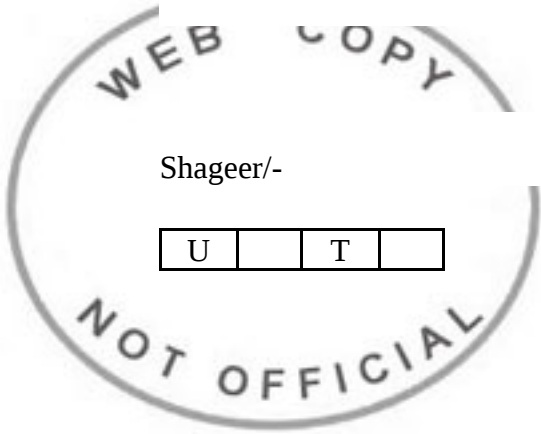


one time settlement amount of Rs. 2,25,000/-(two lacs & twenty five thousand). Both sides also agreed to file a matrimonial suit under Section 13(B) of the Hindu Marriage Act before learned Principal Judge, Family Court, Rohtas at Sasaram within a period of one month. The petitioners agrees to make payment of Rs. 1,00,000/- out of Rs. 2,25,000/- through bank draft by submitting the same before learned Sub-Divisional Judicial Magistrate, Rohtas at Sasaram at the time of furnishing the bail bonds and rest Rs. 1,25,000/- by submitting bank draft before learned Principal Judge, Family Court at the time of passing decree in the matrimonial suit. Both sides further agree to file appropriate application before learned Court below stipulating the present stand with regard to the resolution of the issue when learned Court below is expected to dispose of the proceeding in accordance with law.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail 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, Rohtas at Sasaram in connection with Complaint Case No. 1425 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Either side will be at liberty to file

appropriate application before this Court in case of violation of
undertaking as stipulated in the present order.



(Dinesh Kumar Singh, J)