

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20549 of 2016

Arising Out of PS.Case No. -534 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-DARBHANGA

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Pramod Sahu @ Pramod Kumar Sah, son of Shiv Shankar Sahu, resident of Village-Mansara, P.S.-Jamalpur, District-Darbhang

.... Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi, daughter of Upendra Sahu, resident of Village-Uchhti, P.S.-Biraul, District-Darbhang

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-05-2016 Heard learned counsels for the petitioner, complainant and the State.

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 Sections 494, 498A of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that at earlier point of time the complainant lodged Jamalpur P.S. Case No. 27 of 2014 levelling accusation under

Section 498A I.P.C and $\frac{3}{4}$ of the Dowry Prohibition Act. In the aforesaid case the petitioner was granted anticipatory bail by a coordinate Bench of this Court vide order dated 16.12.2015 passed in Cr. Misc. No. 39625 of 2014 on condition to deposit Rs. 1000/- per month before learned Court below with liberty to the complainant to withdraw the same.

It is submitted by learned counsel for the complainant that during pendency of the earlier case the petitioner has performed second marriage and he is not making regular payment of Rs. 1000/- as directed by a coordinate Bench of this Court vide order dated 16.12.2015 passed in Cr. Misc. No. 39625 of 2014.

Considering the grant of bail in earlier case on monthly payment of Rs. 1000/-, 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, Biroul at Benipur, Darbhanga in connection with Complaint Case No. 534 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted on filing proof with regard to the update monthly amount being deposited before learned Court below as directed

by a coordinate Bench of this Court passed in Cr. Misc. No. 39625 of 2014.

(Dinesh Kumar Singh, J)

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