

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18483 of 2016

Arising Out of PS.Case No. -3548 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

=====

Shailendra Kumar @ Shoulendra Kumar Son of Ram Pravesh Rai resident
of village - Jahagirpur Patedra, P.S. Sarai, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. The Lakhan Singh Son of Kapildev Singh resident of village - English
Khajbatta, P.S. Bidupur, District - Vaishali
3. Reena Devi Daughter of Lakhan Singh resident of village - English
Khajbatta, P.S. Bidupur, District - Vaishali

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 26-07-2016

Heard learned counsels for the petitioner and the

State.

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

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

It is submitted by learned counsel for the



petitioner that the petitioner admits his marriage with the complainant and as the relationship between the petitioner and complainant became strained the petitioner filed Matrimonial Suit No. 201 of 2014 on 24.07.2014 and thereafter the present complaint has been filed on 28.10.2014. Hence, the reconciliation is not feasible at present. However, the petitioner is ready to make payment of Rs.2,500/- per month from August, 2016 to the complainant by depositing the same in her account by second week of every succeeding month.

Counsel for the complainant submits that the complainant is ready to resume conjugal life. However, complainant is also ready to accept the offer of the petitioner and undertakes to submit the bank account number on affidavit before the learned court below within a period of two weeks.

Considering the filing of the matrimonial suit at earlier point of time and the present stand of the parties, let the above named petitioner be released on anticipatory 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint

Case No. 3548 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

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

The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J.)

DKS/

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