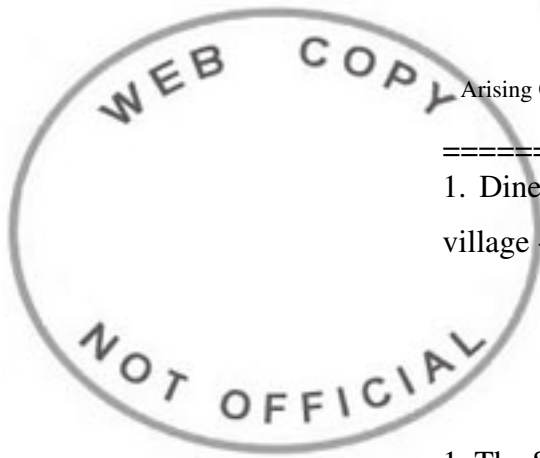


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40055 of 2015



Arising Out of PS.Case No. -1371 Year- 2013 Thana -KHAGARIA COMPALINT CASE District- KHAGARIA

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1. Dinesh Sah Son of Late Chillar Sah @ Deo Narayan Sah resident of village - Amarpur, P.S. Sonbarsha, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

2. Sulekha Devi W/o Dinesh Sah, D/o Kailash Sah resident of village - Hardia, P.S. Chautham, District - Khagaria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Anita Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 09-05-2016 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 Sections 498A, 494 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of

the dowry demand and performing second marriage.

It is submitted by learned counsel for the petitioner that petitioner admits the marriage with the complainant and birth of two children. The petitioner is ready to keep the complainant and children as wife with full dignity and honour. Statement to that effect has been made in para- 10 of the petition which reads as follows:-

“That it is relevant to state here that petitioner is the husband of complainant and he is still ready to keep his wife with full dignity and honour.”

It is further admitted that petitioner has performed second marriage.

On the prayer of learned counsel for the petitioner, the matter was adjourned on 18.01.2016, 10.03.2016 and 05.04.2016 to enable the petitioner to make payment of maintenance amount to the complainant. Today also the petitioner is not present and similar prayer for adjournment has been made.

In the circumstances, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1371C of 2013, pending in the court of learned Sub-Divisional Judicial Magistrate, Khagaria.

The said prayer only be considered on up

date payment of maintenance amount.

With the above observation this application
is disposed of.

(Dinesh Kumar Singh, J)

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