

Arising from the above, the following questions arise:

1. Whether the Patil Dham Pokhar Centre is a religious institution.
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2. Whether the Kur...

.... Petitioner/s

1. The State of Bihar
2. Kumari Madhu Wife of Mahohar Pathak @ Manohar Kumar Pathak, Daughter of Late Ram Naresh Tiwari At Present Resident of Quarter No.-149K,Loko Colony,Garhara,P.O.- Garhara,P.S.-Barauni,District-Begusarai

.... Opposite Party/s

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

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Heard learned counsels for the petitioner,
the State.

The petitioner and the complainant are present in the Court.

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



It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant but complainant herself deserted the petitioner, hence petitioner filed Matrimonial Suit No. 201 of 2013 with prayer for dissolution of marriage which has been decreed ex-parte vide judgment dated 17.08.2015 passed by learned Principal Judge, Family Court, Darbhanga. The complainant was aware about the matrimonial suit as she entered appearance by filing Vakalatnama and preferred a transfer petition before this Court but subsequently she failed to appear.

It is submitted by learned counsel for the complainant that marriage has been dissolved by an ex-parte decree passed in Matrimonial Suit No. 201 of 2013 and the judgment of the same is under process of being challenged.

It is further submitted that in alternative, petitioner is ready to make payment of Rs. 2500/- per month to the complainant from November, 2016, by depositing the same in the bank account of the complainant by second week of every consecutive month.

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner and undertakes to supply her bank account number by submitting the same on affidavit before learned Court below within a period of three weeks.

Considering the fact that the marriage has

been dissolved between the parties and 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, Begusarai in connection with Complaint Case No. 2151C of 2013.

The above payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment will give liberty to the complainant to file appropriate 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)

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