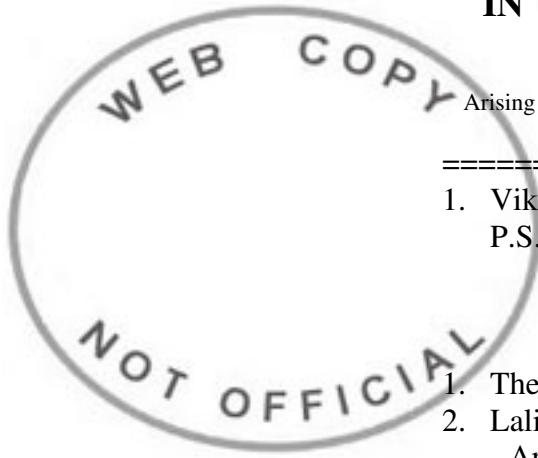




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4790 of 2016

Arising Out of PS.Case No. -64 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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1. Vikas Kumar Son of Banarsi Yadav, Resident of Village - Fatehpur,
P.S. - Ariyari, District - Sheikhpora.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Devi, Wife of Vikas Kumar, Resident of Village - Fatehpur, P.S.
- Ariyari, District - Sheikhpora.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-04-2016 The petitioner being husband of the complainant apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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 the complainant has eloped with one Birendra Kumar, as a result the father of the petitioner has filed Ariyari

P.S. Case No. 16 of 2015 on 14.02.2015 against the family members of the complainant, whereas the present complaint was filed on 03.03.2015. Hence, reconciliation does not appear to be feasible.

In the alternative, petitioner is ready to make payment Rs. 2000/- to the complainant from June, 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 the offer is acceptable to the complainant who undertakes to supply her bank account number within a period of four weeks by filing the same on affidavit before learned Court below.

Considering the filing of the criminal case from the petitioner's side at earlier point of time and the present stand of the petitioner, 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, Sheikhpura in connection with Complaint Case No. 64C of 2015.

The above payments 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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