

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20170 of 2016

Arising Out of PS.Case No. -182 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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Dipak Dubey @ Sonu Dubey @ Deepak Dubey Son of Late Rambali Dubey
..... Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi wife of Deepak Dubey @ Sonu Dubey, D/o- Shri Gupteshwar Pandey

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. M.Rab (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 323/379/498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and the petitioner filed Matrimonial Suit No.342/2015 with a prayer for divorce on 28.07.2015 and, thereafter, the present case has been

filed on 26.11.2015. However, the petitioner is ready to make payment of Rs. 1500/- per month to the informant from June, 2016 by depositing the same in the bank account of the informant by second week of every succeeding month.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 the learned SDJM, Bhojpur at Ara in connection with Mahila P.S. Case No. 182/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner will serve a copy of this order to the informant within a period of three weeks when it is expected that the informant will supply her bank account number to the petitioner by filing the same on affidavit before the learned court below.

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

Three consecutive defaults in making payment by the petitioner will give liberty to the informant to file an application

for cancellation of bail of the petitioner.

The present order will not preclude the parties to
reconcile the issues otherwise.

(Dinesh Kumar Singh, J)

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