

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33573 of 2016

Arising Out of PS.Case No. -1173 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Rudal Singh @ Rudan Singh Son of Rajendra Singh Resident of Village-
Bhorkadih, P.O. Korahi, P.S Karakata, Disrict Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar & Anr.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kameshwar Singh, Advocate

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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

ORAL ORDER

2 09-08-2016

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 of the Indian Penal Code and 3/4 of the Dowry
Prohibition Act.

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

It is submitted by the learned counsel for the
petitioner that petitioner admits his marriage with the
complainant and he is still ready to keep the complainant as
wife with due dignity and honour. Statement to that effect has

been made in para- 10 of the petition which reads as follows:-

“That the petitioner is ready to enjoy conjugal life with wife.”

Similar was the stand of the petitioner before the learned court below, but the complainant denied to accept the offer of the petitioner. From the impugned order it appears that the complainant denied to accept the offer due to past conduct of the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 1500/- per month from September, 2016 to the complainant by depositing the same in her account by second week of every month.

Learned counsel for the complainant submits that complainant is ready to accept the offer of the petitioner and undertakes to submit her Bank Account Number on affidavit before the learned court below within a period of three weeks.

Considering 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Buxar in connection with Complaint Case No. 1173C of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The petitioner undertakes to supply a copy of the

order to the complainant within a period of three weeks when it is expected from the complainant to submit her bank account number by submitted the same on affidavit before the learned court below within a period of three weeks.

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

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