

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3368 of 2016

Arising Out of PS.Case No. -72 Year- 2015 Thana -BASOPATTI District- MADHUBANI

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Amit Kumar Bhagat @ Amit Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her with dignity and honour, statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is husband of the opposite party no.2 and he is ready to keep his wife with all respect.”

Learned counsel for the informant, on instruction,

submits that the informant is not ready to accept the offer of the petitioner since the petitioner made an attempt to cause burn injury to the informant. It is further submitted that in spite of the order passed in maintenance proceeding for making payment of interim maintenance, the same is not being paid, though, the details of the same has not been brought on record.

Considering the present stand of the parties, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Madhubani in connection with Basopatti P.S. Case No. 72 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner shall be accepted by learned court below on filing proof of update payment of maintenance amount as directed in the maintenance proceeding.

(Dinesh Kumar Singh, J)

Amrendra/-

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