

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19229 of 2016

Arising Out of PS.Case No. -1023 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Anand Prakash S/o Om Prakash, Assistant Professor, Bio Tech,
Department, Vanasthali Vidyapith, Rajasthan, P.O.- Vanasthali
Vidyapati, District- Tonk, Rajasthan

.... Petitioner/s

Versus

1. The State of Bihar
2. Prema Kumari W/o Anand Prakash D/o Ajay Kumar, R/o Mohalla-
Moti Chauk, P.s.- Khagaul, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 29-08-2016

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

The petitioner and the complainant are present in the Court.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant and birth of a male child but the petitioner filed Matrimonial Suit No. 679 of 2015 before the Principal Judge, Family Court, Patna on 15.06.2015 and thereafter the present complaint has been filed on 11.08.2015. It is further submitted

that the petitioner in pursuance to the order passed by learned Principal Judge, Family Court, Patna in Maintenance Case No. 382 of 2015 is making payment of Rs. 6000/- per month to the complainant.

It is submitted by learned counsel for the complainant that complainant is still ready to resume the conjugal life.

Considering the rival submissions of the parties, filing of the matrimonial suit at earlier point of time and submission on behalf of the petitioner of making payment of maintenance amount of Rs. 6000/- per month to the complainant as ordered in Maintenance Case No. 382 of 2015, 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 Judicial Magistrate, 1st Class, Danapur in connection with Complaint Case No. 1023(C) of 2015.

The bail bonds of the petitioner will be accepted on filing proof of the up-to-date payment of maintenance amount including the arrears.

(Dinesh Kumar Singh, J)

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