

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32276 of 2016

Arising Out of PS.Case No. -62 Year- 2014 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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1. AVANISH KUMAR@ JAHAR SINGH S/o Umesh Singh @Awadh
Kishore Singh R/o Village- Telmar, P.S. Telmar (Harnaut) District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra, Advocate

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2016 Heard learned counsel for the petitioner and the State.

Petitioner being the husband of the informant is languishing in custody since 08.06.2016 in a case registered for the offences punishable under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that the informant is the second wife of the petitioner. Since petitioner's first wife died, hence the petitioner performed second marriage. Though petitioner is making payment of Rs. 3,000/- per month regularly to the informant as per the order dated 08.04.2015 passed by the

learned Family Court, Nalanda in Maintenance Case No. 55M of 2015. It is further submitted that informant has filed Partition Suit No. 41 of 2015.

Considering the aforesaid facts, let the above named petitioner, be released on bail 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, Nalanda at Bihar Sharif in connection with Mahila P.S. Case No. 62 of 2014.

The bail bond of the petitioner shall be accepted by the learned court below on filing of proof that the petitioner has paid up to date maintenance amount to the informant.

(Dinesh Kumar Singh, J)

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