

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46920 of 2016

Arising Out of PS.Case No. -102 Year- 2015 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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Sonu Tiwary

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 28-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the informant is languishing in custody since 6.9.2016 in a case registered for the offences punishable under Sections 498A and 354/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant. The petitioner was granted provisional anticipatory bail vide Cr. Misc. No. 31967 of 2015 but for some time the informant resumed the conjugal life and thereafter she deserted the petitioner. Thereafter, Mahila PS Case No. 17 of 2016 has been registered with similar accusation under sections 498A,120B and 307 IPC. It is further

submitted that in the subsequent case the petitioner has been granted bail by this court vide Cr. Misc. No. 45413 of 2016 on the undertaking that he will make payment of the maintenance amount in installments decided in the maintenance proceeding.

Learned counsel for the informant submits that the informant is still ready to resume the conjugal life and the petitioner has, deliberately, not appeared in the maintenance proceeding.

Considering the nature of accusation and the fact that in the other case the petitioner has been granted bail on the undertaking that he will make payment of maintenance amount, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 102 of 2015.

(Dinesh Kumar Singh, J)

Anil/-

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