

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.363 of 2019

Arising Out of PS. Case No.-60 Year-2015 Thana- MAHILA P.S. District- Muzaffarpur

Kunal Kaushal son of Sri Lal Kishore Prasad Singh, resident of Qrt. No. A-16, Sainik School, P.S.-Kapurthala, District- Kapurthala. Permanent resident of Churaman Post, Bhagwatia, P.S.- Kesaria, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shashank Shekhar
For the Opposite Party/s	:	Mr.Sri Uma Shankar Prasad Singh
For the Informant	:	Mr. Deepak Kumar.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-06-2019 This application, for grant of anticipatory bail, arises out of Mahila P.S. Case No. 60 of 2015, disclosing offences under Sections 498(A). 420, 317, 323, 504, 506 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Petitioner happens to be husband of the informant and allegation against him is of subjecting the informant to torture and cruelty with respect to demand of dowry and also ousted from the house.

Submission of learned counsel for the petitioner is that as a matter of fact, there was *ex parte* decree of divorce in favour of the petitioner. However, that has been set aside by the Punjab & Haryana High Court, and the matter is still pending and he is also paying Rs. 8,000/- per month to the informant.



Heard learned A.P.P. also as well as learned counsel for the informant, who has admitted the fact that Rs. 8,000/- is being paid to the informant, regularly.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Muzaffarpur, in connection with Mahila P.S. Case No. 60 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is further subject to the condition that petitioner will regularly pay the aforesaid amount of Rs. 8,000/- per month to the informant, till the matter is finally adjudicated.

(Vinod Kumar Sinha, J)

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