

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77196 of 2019

Arising Out of PS. Case No.-520 Year-2018 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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SUNIL KUMAR Son of Mukul Krishna Prasad Resident of Mohalla - New Area, M.J. Road, Aurangabad, P.S.- Aurangabad, District - Aurangabad, At present House No. RZ 30A, Gali No. -1, Sadh Nagar, Palam Colony, P.S.- Palam, District- New Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pallavi Kumari Wife of Sunil Kmar At present resident of Mohalla - Gaurakshni, Jehanabad, P.O.- Jehanabad, P.S.- Jehanabad, District- Jehanabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner, complainant and learned APP for the State.

The petitioner, being the husband of the complainant, is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Prosecution case is that the marriage of the complainant was performed with the petitioner on 30.06.2017, but subsequent to the marriage, torture was inflicted to her for non-fulfillment of further dowry demand of Rupees Ten Lac and



ultimately the complainant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the the petitioner admits his marriage with the complainant and it is the complainant who deserted the petitioner due to her apathetic attitude. The petitioner has also filed a case before the Principal Judge, Family Court, Dwarka, New Delhi with a prayer for dissolution of marriage, on the ground of cruelty, on 05.07.2018, being H.M. Act 1743 of 2018. Thereafter, the present complaint has been filed on 10.08.2018. It is further submitted that the petitioner has been making payment of Rs.10,000/- per month as maintenance amount to the informant.

It is submitted by learned counsel for the complainant that the complainant is still ready to resume the conjugal life. However, the complainant is denying the factum of receiving of Rs.10,000/- per month towards maintenance amount.

Considering the fact that matrimonial suit was filed at earlier point of time and the petitioner admits payment of maintenance amount to the complainant, 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 Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad, in connection with Complaint Case No. 520 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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