

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5452 of 2020

Arising Out of PS. Case No.-912 Year-2014 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Guddu Soni Son of Dasharth Sao @ Dasharath Prasad Resident of Mohalla-
Shahpur Near, Shankar Temple, P.S.- Aurangabad (Town), Distt- Aurangabad
(Bihar)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sheela Devi W/o Guudu Soni Resident of Mohalla- Shahpur, P.S.-
Aurangabad (Town), At Present- Daughter of Chhedi Sao Soni, Resident of
Mohalla- Baratpur, P.S.- Aurangabad (Town), Distt- Aurangabad (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 22-03-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner being husband of the complainant is
apprehending his arrest in a complaint case wherein
cognizance has been taken for the offences punishable
under Section 498A of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of
dowry demand and ousting the complainant along with her
children from her matrimonial house.

It is submitted by learned counsel for the



petitioner that the petitioner tried his best to resume the conjugal life with the complainant but the complainant herself is reluctant to resume the conjugal life with the petitioner. The petitioner is still ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition.

It appears that in spite of valid service of notice upon complainant/O.P. No. 2, she choose not to appear before this Court.

The petitioner admits his marriage with the complainant and birth of four children out of the wedlock.

In the alternative, the petitioner is ready to make payment of Rs. 5,000/- per month to the complainant by depositing the same in her bank account by 1st week of every month from April, 2022.

The petitioner undertakes that he shall arrange the details of the bank account of the complainant and produce receipt of deposit of Rs. 5000/- in the account of the complainant at the time of execution of bail bonds before the learned Court below.



Considering the present stand of the petitioner, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory 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, Aurangabad in connection with Complaint Case No. 912 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 5000/- by the petitioner in the account of the complainant.

The aforesaid payments will be subject to any order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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