

IN THE HIGH COURT OF JUDICATURE AT PATNA Cr.Misc. No.30697 of 2010

RAM NATH THAKUR, Son of Rajendra Thakur, Resident of Village-Daudpur, P.S.-Paroo,  
District-Muzaffarpur Petitioner

Versus

1. THE STATE OF BIHAR

2. Sindhu Devi, Wife of Ram Nath Thakur, D/o Bachu Thakur, Resident of Village-Gopinathpur, Dokara,  
P.O.-Chakua, P.S.-Saraiya, District-Muzaffarpur. .Opp. Parties

-----

3/ 26.03.2011 Heard the parties. The petitioner apprehends his arrest in a criminal prosecution, under Sections 498(A), 406 and 494 of the Indian Penal Code as also 3/4 of Dowry Prohibition Act, based on complaint petition vide Annexure I.

It is submitted that as a matter of fact, in the year 2006 itself, the petitioner filed Matrimonial Case No. 146 of 2006 in the court of learned Principal Judge, Family Court, Muzaffarpur seeking divorce with the complainant. In that matrimonial case, opposite party no. 2 has entered appearance, and despite efforts made by the learned Principal Judge, the conciliation could not be arrived at between the parties. Thereafter, 2

the complainant filed the present complaint case in the year 2008 in retaliation making all baseless and false allegations against the petitioner. In view of the fact, the present complaint petition was filed after about two years from the date of filing of the matrimonial case and the conciliation proceeding has failed, in that background, in the event of his arrest or surrender within a period of four weeks from today, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each in connection with Complaint Case No. C-638 of 2008 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Muzaffarpur (west), subject to the conditions laid down under section 438 (2) of the Cr.P.C.

( Birendra Prasad Verma, J.)

Anjani/