

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17509 of 2015

Arising Out of PS.Case No. -182 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

Navin Kumar Sinha

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Dular Sah

For the Opposite Party/s : Mr. Sanjay Kr.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-05-2015

Heard learned counsels for the petitioner and 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 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of the dowry demand. The factum of marriage between the petitioner and the complainant and birth of a female child are admitted facts.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep his wife with child with full dignity and honour.

Learned counsel for the complainant submits that due to past conduct of the petitioner, the complainant is not ready to

accept the offer of the petitioner.

In the alternative, the petitioner is ready to pay ₹1,500/- per month to the complainant from June, 2015 by depositing the same in the bank account of the complainant by second week of every month.

It is submitted by learned counsel for the complainant that the offer of the petitioner is acceptable to the complainant who undertakes to supply her bank account number to the petitioner within a period of three weeks by filing the same before the learned court below.

Considering the stand of the parties, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Patna City in connection with Complaint Case No. 182 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid payment will be subject to any order being passed in matrimonial, maintenance proceeding or other related proceeding.

Three consecutive defaults in making payment by the petitioner will give liberty to the complainant to file an application for cancellation of bail of the petitioner.

The present order will not preclude the parties to reconcile the issue otherwise.

(Dinesh Kumar Singh, J)

Amrendra/-

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