

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14713 of 2015

Arising Out of PS.Case No. -207 Year- 2014 Thana -NAWANGAR District- BUXAR

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Shyam Deo Singh S/o Late Dharm Deo Singh resident of village- Maniya,
P.S.- Nawanagar (Sonbarsha O.P.), District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar
2. Indu Devi W/o Shyam Deo Singh and D/o Baban Singh, R/o Village-
Maniya, P.S.- Nawanagar (Sonbarsha O.P.), District- Buxar. At present
R/o, Vill.- Maniyari, P.O.- Maniya, P.S.- Nawanagar, District- Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Ram Naresh Roy(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

03/ 20-08-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the informant
is apprehending his arrest in a case registered for the offences
punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

The petitioner and the informant are present.

The marriage between the petitioner and the
informant having one female child is admitted.

It is submitted by learned counsel for the
petitioner that the petitioner earlier filed Matrimonial Suit No.

108 of 2009 for divorce on 17.07.2009, thereafter the informant filed Complaint Case No. 651C of 2010 making accusation under Sections 498A of the IPC and 3/4 of Dowry Prohibition Act. Subsequently the petitioner withdrew the said matrimonial suit on the basis of compromise and thereafter petitioner filed Matrimonial Suit No. 196 of 2014 on 15.09.2014, thereafter the present FIR was lodged on 18.10.2014.

In the circumstances, the reconciliation does not appear to be feasible.

However, the petitioner is ready to pay Rs.3,500/- per month September, 2015 to the informant by depositing the same in her account by second week of every month.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner and undertakes to submit bank account number on affidavit before the learned court below within a period of two weeks. It is further submitted that the informant is at present residing in the house of the petitioner.

Considering the fact that the matrimonial case was lodged at earlier point of time by the petitioner and the present stand of the parties, let the above named petitioner be released



on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve 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 learned Chief Judicial Magistrate, Buxar in connection with Nawanagar P.S. Case No. 207 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

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

(Dinesh Kumar Singh, J.)

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