

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19330 of 2014

Arising Out of PS.Case No. -21 Year- 2012 Thana -MAHILA P.S. District- MUZAFFARPUR

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Amit Kumar Jha @ Amit Jha

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund

For the Opposite Party/s : Mr. Dr. Ravindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 06-08-2015

Heard learned counsels for the petitioner, informant and
the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323, 324, 504, 406 and 493 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of the dowry demand.

Though, the matter was referred to the Mediation Centre vide order dated 19.05.2015 but the report of the Mediator has not come. Hence with the consent of the counsels for the parties, the matter is being taken up.

It is submitted by learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full

dignity and honour. Statement to that effect has been made in para 11 of the petition which read as follows:-

“That the petitioner is still ready to keep her as his wife taking full responsibility of her safety and giving her a happy conjugal life.”

Counsel for the informant submits that the informant is willing to settle the issue on payment of permanent alimony.

In the circumstance, 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 C.J.M., Muzaffarpur in connection with Mahila P.S. Case No. 21 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The present order will not preclude the parties to settle the issue in terms of permanent alimony.

If the informant so wishes she may resume the conjugal life and file a petition to that effect before the learned court below then the learned court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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