

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34540 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -MAHILA P.S. District- LAKHISARAI

Dhananjay Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-08-2015

Heard learned counsels for the petitioner 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, 504, 506 and 406/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the marriage between the petitioner and the informant in the year 2012 is admitted. The petitioner filed HMA 894 of 2014 at Delhi on 24.12.2014 with a prayer for divorce and thereafter, after receiving notice in matrimonial suit, the present complaint was filed on 07.02.2015.

The petitioner is ready to pay ₹2,500/- per month to the

informant from October, 2015 by depositing the same in the bank account of the informant by second week of every month.

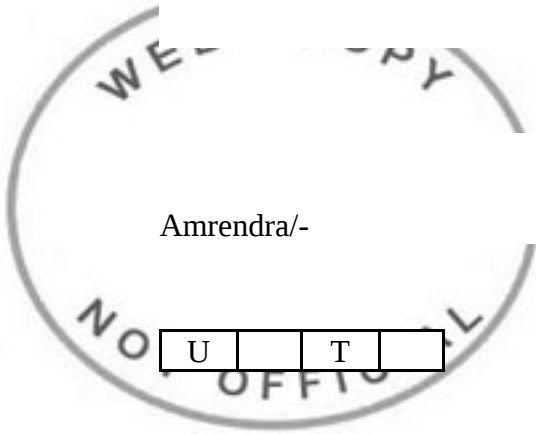
Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner and also undertakes to supply her bank account number to the petitioner within a period of two weeks by filing the same on affidavit before the learned court below.

Considering the filing of matrimonial suit at earlier point of time and the present 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 Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 06 of 2015, 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 or maintenance proceeding.

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

The present order in no way will preclude the parties to
resolve the issue otherwise.



(Dinesh Kumar Singh, J)