

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35448 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -KARJA District- MUZAFFARPUR

Manish Kumar, son of late Umesh Prasad Singh

.... Petitioner/s

Versus

1. State of Bihar
2. Nikki Devi, wife of Manish Kumar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. L.K.Sharma(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-08-2015

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 341, 323, 379, 498A, 504 and 511/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that petitioner is ready to keep the informant with dignity and honour. Similar was the stand of the petitioner before the learned court below, but the informant refused to reside with the petitioner, which gets reflected from the impugned order itself. However, the petitioner is ready to make payment Rs.1,000/- (one thousand) 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.

Considering the present stand of the petitioner, 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Karja P.S. Case No.44 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner will serve a copy of this order to the informant within a period of three weeks when it is expected that the informant will supply her bank account number to the petitioner by filing the same on affidavit before the learned court below.

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.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--