

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45551 of 2014

Arising Out of PS.Case No. -121 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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Ajay Kumar Singh Son fo Shobha Yadav @ Shabhapati Singh Resident of
Village - Ashudhar, P.S. - Jagdishpur, Dist.-Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh

For the Opposite Party/s : Mr. Indra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 23-03-2015

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 Sections 498A, 504/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

On submission of 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 reads as follows:- **“That the petitioner is ready to keep her with full respect and**

dignity.” But the offer is not acceptable to the informant due to the assaulted made by the petitioner.

The petitioner and the informant are present. The marriage between the petitioner and the informant is admitted having no issue.

The petitioner is a Constable in C.R.P.F. The petitioner is ready to pay Rs.4,000/- per month from April, 2015 to the informant by depositing the same in her account by second week of every month.

The offer of the petitioner is acceptable to the informant, who undertakes to submit her bank account number on affidavit before the learned court below within a period of two weeks.

Considering 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 Sub-divisional Judicial Magistrate, Bhojpur at Ara in connection with Bhojpur Mahila P.S. Case No. 121 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

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

The grant of bail to the petitioner will not preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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