

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38123 of 2015

Arising Out of PS.Case No. -81 Year- 2015 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

Pradeep Kumar Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-08-2015

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, 376/511 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 whereas it is alleged against
widower father and brother of the husband of the informant
that they tried to outrage the modesty of the informant.

It is submitted by learned counsel for the petitioner
that the petitioner is still 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

accept the offer of the petitioner, which gets reflected from paragraph 5 of the order of learned Sessions Judge passed in ABP No.506 of 2015, which reads as follows:-

"5. The husband and wife, both are present in the court. The husband is ready to take her back but the wife refused as her husband had illicit relationship with the house lady where he lives and her father-in-law made an attempt to rape her and brother-in-law also used to outrage her modesty."

Learned counsel for the petitioner further submits that the petitioner is ready to make payment of Rs.2,000/- (two 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 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 Chief Judicial Magistrate, Kaimur (Bhabhua) in connection with Durgawati P.S. Case No.81 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)

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