

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51745 of 2014

Arising Out of PS.Case No. -20 Year- 2014 Thana -ROHTAS District- SASARAM (ROHTAS)

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Munna Yadav Son of Tulsi Yadav Resident of Village - Shambhu Bigha,
P.S. - Dehri, District - Rohtas,

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi D/o Chandradeo Yadav, R/o village – Tumba, P.S. and District – Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 31-03-2015

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

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

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

Notices were issued to the informant-opposite party no. 2 vide order dated 05.01.2015 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 8 of the petition, which reads as follows:- **“That the petitioner is ready to keep the informant with full dignity.”**

The informant is not in a position to accept the offer of the petitioner due to the past conduct of the petitioner.

However, the petitioner is ready to pay Rs.2,000/- per month from May, 2015 to the informant by depositing the same in her account by second week of every month.

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

Considering 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, Dehri (Rohtas) in connection with Rohtas P.S. Case No. 20 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 or maintenance proceedings.

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

(Dinesh Kumar Singh, J)

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