

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45615 of 2015

Arising Out of PS.Case No. -504 Year- 2015 Thana -PHULWARI District- PATNA

S.M. Danish Mansoor Son of Mansoor Ahmed, Resident of Sangam
Coloony, P.S. - Digha, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary 1(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 29-10-2015

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, 354, 498A, 504,
506/34 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.

The petitioner and the informant are present in
the Court.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the

informant and birth of two daughters. The petitioner is ready to keep the informant as wife with full dignity and honour and since the informant deserted him, hence, he has performed second marriage.

It is submitted by learned counsel for the informant that the informant is not ready to accept the offer of the petitioner since he has performed second marriage.

In the alternative, the petitioner is ready to make payment of Rs.5,000/- per month to the informant for the welfare of the children from December, 2015 by depositing the same in her account by second week of every month.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner and undertakes to submit bank account number on affidavit before the learned court below within a period of three weeks.

Considering the present stand of the petitioner, 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 Judicial Magistrate, Ist Class, Patna in connection with



Phulwarisharif P.S. Case No. 504 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the informant to file 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.)

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