

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46628 of 2015

Arising Out of PS.Case No. -673 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ranjan Kumar Sinha @ Niranjan Kumar Sinha Son of Sri Narendra Kumar Sinha @ Banwari Babu resident of village - Saidpur Mahadeo Asthan Khariyanpar, P.S. Khagaul, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Babita Sinha @ Ragini Kumari D/o Sri Naresh Mohan Sonkhare, Wife of Sri Ranjan Kumar Sinha @ Niranjan Kumar Sinha Resident of East of Road No. 6C, Mahadeo Puri, Gardanibagh,P.S. Gardanibagh, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh
For the Opposite Party/s : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-11-2015 Heard learned counsels for the petitioner, complainant and the State.

The petitioner being husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner and the complainant are present in court.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of a female child out of the wedlock. It is further submitted that the petitioner is still ready to keep the complainant as wife and child with due dignity and honour. Statement to that effect is made in paragraph 9 of the petition.

Learned counsel for the complainant submits that the complaint is not ready accept the offer since she is apprehensive with the past conduct of the petitioner.

In the alternative, learned counsel for the petitioner submits that the petitioner is ready to make payment of Rs.2500/- per month from December, 2015 by depositing the same in the bank account of the complainant by second week of every month. Learned counsel for the complainant is ready to accept the offer and undertakes to provide the bank account number of the complainant to the petitioner within three weeks by submitting the same on affidavit before the learned court below.

Considering the present stand of the parties, 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 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 SDJM, Patna in connection with Complaint Case No. 673C of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 complainant to file an application for cancellation of bail of the petitioner.

The present order will, in no way, preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

Anil/-

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