

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39090 of 2014**

Arising Out of PS.Case No. -2397 Year- 2013 Thana -PATNA COMPLAINT CASE District-  
PATNA

=====

Abhishekh Kumar son of Ashok Kumar resident of Mohalla - Rajendra  
Nagar - 1, Police Station - Kadamkuan, District - Patna

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Neha daughter of Ajit Kumar Singh, Wife of Abhishekh Kumar  
resident of Flat No.404, Dachhineshwar Nandanpuri Khajpura, Police  
Station Rajiv Nagar, District - Patna

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Opposite Party/s : Mr. Rajendra Nath Jha (App)

=====

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

08/ 09-07-2015

Heard learned counsels for the petitioner and  
the State.

The petitioner being the husband of the  
complainant is apprehending his arrest in a complaint case  
wherein processes have been directed to be issued after  
cognizance being taken for the offences punishable under Section  
498A 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 marriage between the petitioner and the  
complainant having no issue is admitted fact.

On joint prayer of the parties the matter was referred to the Mediation Centre. The report of the Mediator at Flag 'C' reflects that the parties could not resolve the issue through the process of mediation.

The petitioner and the complainant are present in the Court. The petitioner is ready to keep the complainant as wife with full dignity and honour, but the complainant is not ready to accept the offer as she is apprehensive due to the past conduct of the petitioner.

However, the petitioner is ready to pay Rs.4,000/-/- per month from August, 2015 to the complainant by depositing the same in her account by second week of every succeeding month.

The offer is acceptable to the complainant, who undertakes to supply the bank account number by submitting the same 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 Judicial Magistrate, Ist Class, Patna in connection with Complaint Case No. 2397(C) of 2013, 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 being passed in matrimonial, maintenance or other proceeding.

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

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

**(Dinesh Kumar Singh, J)**

DKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|