

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50132 of 2015

Arising Out of PS.Case No. -83 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

Pankaj Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr. R.P.S Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-11-2015

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 Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant being a duff and dumb girl.

It is submitted by learned counsel for the informant that the petitioner has performed second marriage and this fact has not been controverted by learned counsel for the petitioner.

However, learned counsel for the petitioner submits that

the petitioner is ready to pay ₹1,500/- per month to the informant from December, 2015 by depositing the same in the bank account of the informant by second week of every succeeding month.

Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner and undertakes to supply her bank account number to the petitioner within a period of three weeks by submitting the same on affidavit before the learned court below.

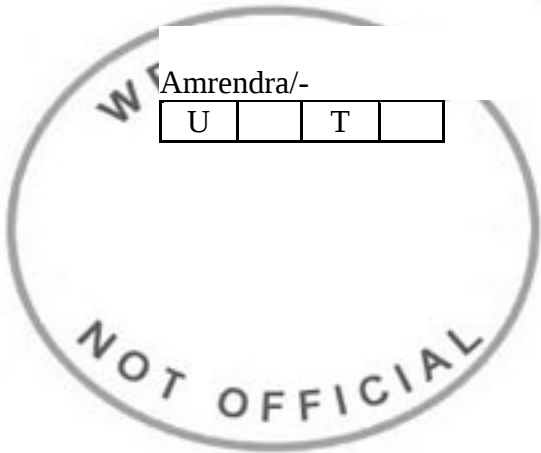
Considering the stand of the parties, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Rosra in connection with Bibhutipur P.S. Case No. 83 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 informant to file an application for cancellation of bail of the petitioner.

It is made clear that the present order will not preclude

the parties to resolve the issue otherwise.



(Dinesh Kumar Singh, J)