

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53856 of 2015

Arising Out of PS.Case No. -95 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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Santosh Raut

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Satyendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2015

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 Sections 342, 323 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The 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 and is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in para 9 of the petition, which reads as follows:-

“That, be that as it may, the petitioner has always been/is ready to keep her with full dignity and honour, respect and comfort, safety and security, and still undertakes to do so.”

In the circumstances, the petitioner is ready to pay ₹1,500/- per month to the informant from January, 2016 by depositing the same in the bank account of the informant by second week of every month.

Considering the present stand of the petitioner, 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 Chief Judicial Magistrate, West Champaran at Bettiah in connection with Chanpatia P.S. Case No. 95 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner will serve a copy of this order to the informant within a period of three weeks when it is expected that the informant will supply her bank account number to the petitioner by submitting the same on affidavit before the learned court below.

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.

If the informant fails to submit her bank account number or refuses to accept the offer of the petitioner then the aforesaid payment will be deposited before the learned court below which will be subject to the result of the present case.

The present order will not preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

Amrendra/-

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