

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22703 of 2015

Arising Out of PS.Case No. -282 Year- 2014 Thana -KANKARBAGH District- PATNA

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1. Sachin Kumar Sharma @ Sachin Kumar Son of Satya Narayan
Vishwakarma Resident of Chandmari Road, Azad Path, Galli No. 3,
Kankarbagh, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 07-12-2015

Petitioner being husband of the informant

apprehending his arrest in a case registered for the offences
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-
fulfilment of dowry demand.

It is submitted by learned counsel for the
petitioner that petitioner admits his marriage with the
informant on 02.06.2013. The petitioner filed Matrimonial Suit
No. 5505 of 2014 on 23.06.2014 with a prayer for divorce and
thereafter the present F.I.R was registered on 17.07.2014.
Hence, reconciliation if not feasible.

It is submitted by learned counsel for the
informant that informant is ready to resume the conjugal life
and the matrimonial suit was filed while the informant was
residing with the petitioner at her matrimonial house.

In the alternative, petitioner is ready to make payment Rs. 2000/- to the informant from January, 2016, by depositing the same in the bank account of the informant by second week of every consecutive month. The informant undertakes to supply her bank account number by filing the same on affidavit before learned Court below within a period of three weeks.

Considering the filing of the matrimonial suit at earlier point of time and the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kankarbagh P.S. Case No. 282 of 2014.

The aforesaid payments will be subject to any order being passed in matrimonial or maintenance proceeding.

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

(Dinesh Kumar Singh, J)

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