

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27296 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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Thakur Surendra Bahadur @ Sonu Kumar S/o Lalan Thakur Resident of
village - Dhobaha, P.S. Ara, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi W/o Thakur Surendra Bahadur, D/o Baijnath Thakur at
present resident of Muhalla - Anaith, P.S. Ara Nawda, Distt. Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 24-08-2015

Heard learned counsels for the petitioner, State
and the informant.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 323, 341, 379, 498A of 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 petitioner and the informant are present in
the Court. The marriage between the petitioner and the
informant on 08.03.2014 is admitted.

Though, it is submitted by learned counsel for

the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour, but the sister of the informant maliciously lodged Ara (M) P.S. Case No. 284 of 2015 levelling accusation under Sections 341, 323, 379, 504, 506 and 354/34 of the IPC.

It is submitted by learned counsel for the informant that the informant is not ready to accept the offer of the petitioner as she is apprehensive due to the past conduct of the petitioner as the petitioner used to assault the informant.

In the circumstances, the reconciliation is not feasible. The petitioner is a Navy Personnel. In the circumstances, the petitioner is ready to pay Rs.3,000/- per month from September, 2015 to the informant by depositing the same in her account by second week of every month.

It is submitted by learned counsel for the informant that the offer is acceptable to the informant, who undertakes to submit the bank account number by filing 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 Sub-divisional Judicial Magistrate, Bhojpur at Ara in connection with Bhojpur Mahila P.S. Case No. 69 of 2015, 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 passed in matrimonial, maintenance or connected proceedings.

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

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

(Dinesh Kumar Singh, J.)

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