

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22731 of 2015

Arising Out of PS.Case No. -218 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Ramdeni Sah @ Ramdeni Prasad, son of Dwarika Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 08-10-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being husband of the informant is
apprehending arrest in a case registered under sections 498A,323
and 504/34 of the Indian Penal Code. The basic accusation is of
torture.

It is submitted by learned counsel for the petitioner
that the informant filed the present case on 25.07.2014 but she
died on 28.08.2014 at her parents' house. The petitioner admits his
marriage with the informant and birth of a female child. The child
is residing with the parents of the informant. The petitioner is
ready to make payment of Rs.2000/- (rupees two thousand only)
from November 2015 for the welfare of the child by depositing the
same in the account of the minor child by second week of every
month.

Learned counsel for the father of the informant submits that the informant was being tortured and due to torture she died. Though she died on her parents' house and complaint has been filed with accusation under section 304B of the Indian Penal Code which is pending for enquiry.

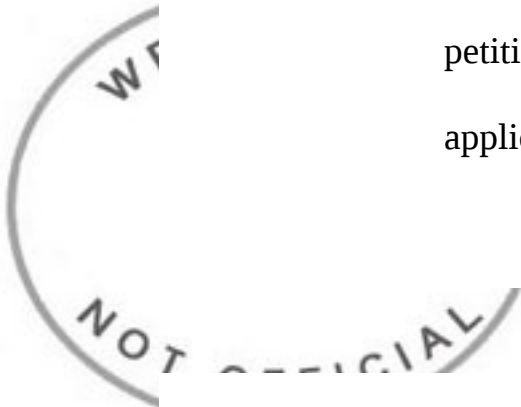
Considering the fact that the present case is registered under sections 498A/323/504/34 of the Indian Penal Code and the present stand of the petitioner to make payment, let him be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 CJM, Motihari, East Champaran in connection with Muffasil P.S. Case No.218 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Counsel for the father of the informant submits that the father of the informant will open bank account in the name of the minor and will submit the account number on affidavit before the learned court below within a period of three weeks. He further undertakes to get the amount invested regularly in some fixed deposit scheme.

The aforesaid payment will be subject to any order

being passed in any proceeding arising out of the present dispute.

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



Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--