

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9558 of 2015

Arising Out of PS.Case No. -141 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

Prakash Mandal son of Sri Yogendra Mandal resident of Village - Biraul,
P.S. - Biraul, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puja Devi wife of Sri Prakash Mandal resident of Village - Biraul, P.S. - Biraul, District - Darbhanga. presently daughter of Sri Ram Bilas Mandal, resident of village - Punhad, P.S. - Ghanshyampur, District - Darbhanga.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Pushpa Sinha No.2(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 27-08-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 406 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

On submission of learned counsel for the

petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour, though, statement to that effect has not been made in the petition, the notices were issued to opposite party no. 2-complainant vide order dated 21.04.2015, the complainant is present.

Learned counsel for the complainant submits that the complainant is not ready to accept the offer of the petitioner due to past conduct of the petitioner.

The petitioner, in alternative, is ready to pay Rs.1,500/- per month from September, 2015 to the complainant by depositing the same in her account by second week of every month.

Counsel for the complainant submits that the that the complainant is ready to accept the offer of the petitioner and undertakes to supply the bank account number by submitting the same on affidavit before the learned court below within a period of three 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, Biraul at Benipur, District - Darbhanga in connection with C.R. No. 141 of 2014, 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 complainant to file application for cancellation of bail of the petitioner.

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

(Dinesh Kumar Singh, J.)

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