

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35450 of 2015

Arising Out of PS.Case No. -221 Year- 2015 Thana -SONEPUR District- SARAN

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Rohit Kumar S/o Chandra Shekhar Singh resident of Village -West Lohanipur P.s Kadamkuan, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Neha Kumari D/o Mithilesh Kumar Singh@Bacha Babu resident of Village Makhdumpur P.S Sonapur, District Saran Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh
For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 03-11-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A/34 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 matter was adjourned for making effort to resolve the issue, but it is submitted by learned senior counsel

for the petitioner that the issue could not be resolved.

The marriage between the petitioner and the informant on 02.05.2014 is admitted having no issue.

The petitioner filed Matrimonial Suit No. 503 of 2015 on 05.05.2015 with a prayer for divorce and thereafter on 06.06.2015 the present case was lodged.

Though, the informant is ready to resume the conjugal life but the petitioner is not ready to accept the offer. However, the petitioner is ready to make payment of Rs.5,000/- per month from December, 2015 to the informant by depositing the same in her account by second week of every month.

Counsel for the informant submits that the informant is ready to accept the offer and undertakes to submit the bank account number on affidavit before the learned court below within a period of three weeks.

Considering the filing of matrimonial suit at earlier point of time and the present stand of the petitioner, 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



Additional Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 221 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, will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J.)

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