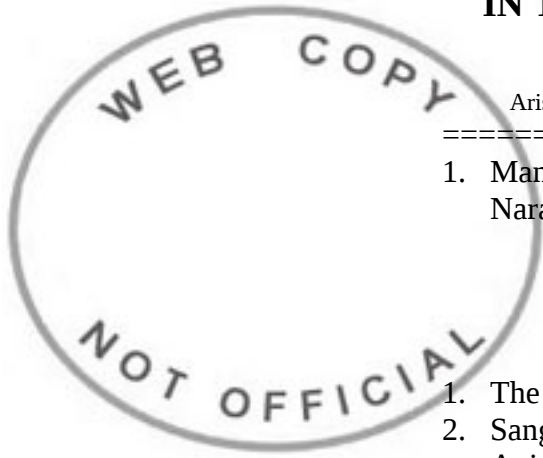




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35046 of 2015

Arising Out of PS.Case No. -100 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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1. Manoj Kumar Singh s/o Rambaboo Singh resident of Vill - Ahile p.s. - Narayanpur, Dist - Bhojpur.

..... Petitioner/s

Versus

1. The State of Bihar.
2. Sangita Devi d/o late Kuparchand Singh Resident of vill - Agion p.s. - Agion (G), Dist - Bhojpur.

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 07-12-2015 Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences under Sections 498A, 323, 379 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 12.06.2003 but somehow the marriage could not be consummated and petitioner filed Matrimonial Suit No. 186 of 2015 with a prayer for divorce on 21.05.2015 and thereafter the present F.I.R was registered on 08.06.2015. Hence, the

reconciliation is not feasible.

It is submitted by learned counsel for the informant that informant is ready to resume the conjugal life and it was the petitioner who has deserted her.

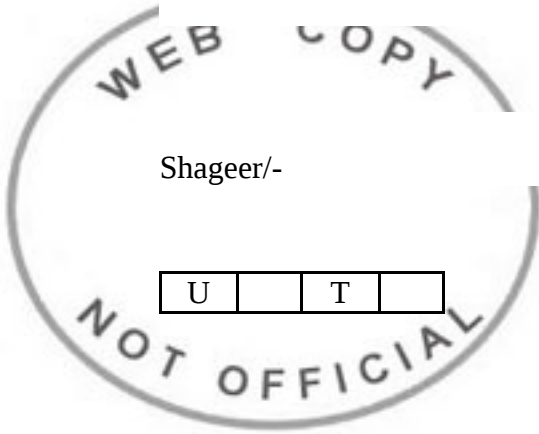
In the alternative, petitioner is ready to make payment Rs. 3000/- to the informant from January, 2016, by depositing the same in the bank account of the informant by second week of every consecutive month. The informant undertakes to supply her bank account number by filing the same on affidavit before learned Court below within a period of three weeks.

Considering the 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 Sub-Divisional Judicial Magistrate, Bhojpur at Ara in connection with Mahila P.S. Case No. 100 of 2015.

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.

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



(Dinesh Kumar Singh, J)