

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34133 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -DHOLBAJJA District- BHAGALPUR

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Gopal Kumar Sah @ Gopal Sah Son of Jai Prakash Sah resident of village -
Amarpur, P.S. Bihpur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Bharti Devi W/o Gopal Sah, D/o Chhote Lal Sah resident of village -
Rampur, P.S. Dholbajja, District - Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 01-12-2015

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 147, 148, 323, 498A, 327 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.

Counsel for the petitioner submits that the
petitioner admits his marriage with the informant and birth of a

male child. The petitioner is ready to keep them with dignity and honour. Statement to that effect has been made in paragraph 10 of the petition, which reads as follows:- “That the petitioner is always ready to keep his wife with full respect and dignity because he has not solemnized another marriage.”

Counsel for the informant submits that the informant is not ready to accept the offer of the petitioner due to the past conduct of the petitioner.

However, the petitioner is ready to make payment of Rs.1500/- per month from January, 2016 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 of the petitioner and undertakes to submit the bank account number 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



Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Dholbajja P.S. Case No. 02 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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