

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21305 of 2015

Arising Out of PS.Case No. -2 Year- 2014 Thana -MAHILA P.S. District- PATNA

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1. Babloo Kumar @ Babloo Kumar Sinha Son of Late Raj Kumar Prasad,
Resident of Mohalla - Churi Market, P.S. - Kadamkuan, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Neelam Kumari, W/o Babloo Kumar, D/o Late Shyam Narayan Singh,
Resident of Village - Mahavir Asthan, P.S. - Kadamkuan, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shruti Sinha

For the Opposite Party/s : Mr. Satyendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under sections 498A/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

It is submitted on behalf of the petitioner that the petitioner is ready to keep the informant and child with dignity and honour. Statement to that effect has been made in paragraph 6 of the petition. The factum of marriage between the petitioner and the informant and birth of male child are admitted.



Learned counsel for the informant submits that the informant is not ready to accept the offer of the petitioner due to past conduct of the petitioner. In alternative, the petitioner is ready to pay Rs. 1800/- per month to the informant from July, 2015 by depositing the same in the bank account of the informant by second week of every month. The said offer of the petitioner is acceptable to the learned counsel for the informant and the informant will supply her bank account number to the petitioner by filing the same on affidavit before the learned court below.

Considering the present stand of the parties, let the above named petitioner 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Patna in connection with Mahila P.S. Case No. 2 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid payment will be subject to any order being passed in matrimonial or maintenance or any related proceedings.

Three consecutive defaults in making payment by the petitioner will give liberty to the informant to file an 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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