

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36906 of 2014

Arising Out of PS.Case No. -1 Year- 2014 Thana -MAHILA P.S. District- PATNA

=====

Mukul Ranjan Kumar Singh, S/o Jag Narain Singh, Resident of Mohalla – Mainpura, P.S. Patliputra, District – Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sapna Kumari, D/o Tej Narain Singh, Resident of village – Dariyapur, P.S. Fatuha, District – Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 09-07-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 498A34, 312 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.

On joint prayer of the parties, the matter was referred to the Mediation Centre, but the report of the Mediator at Flag ‘C’ reflects that the mediation has failed.

The informant claims to have performed marriage with the petitioner on 30.07.2012 in a temple whereas the factum of marriage is being denied by the petitioner. Statement

to that effect has been made in para 6 of the petition, which reads as follows:- “That the outset it is submitted that petitioner has not married the informant at any point of time.”

Considering the fact that the factum of marriage is in dispute, let the above named petitioner be released on anticipatory bail provisionally for nine months 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 Judicial Magistrate, Ist Class, Patna in connection with Patna Mahila P.S. Case No. 01 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below conduct an enquiry with regard to the factum of the marriage. If the learned court below comes to a conclusion that the petitioner has never married with the informant then the provisional bail will be confirmed by the learned court below, but if the learned court below comes to a conclusion otherwise then the petitioner will surrender and pray for regular bail.

During the period of enquiry, the petitioner is ready to pay Rs.4,000/- per month from August, 2015 to the

informant by depositing the same in her account by second week of every succeeding month. The informant undertakes to supply the bank account number by submitting the same on affidavit before the learned court below within a period of two weeks.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--