

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31114 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -MAHILA P.S. District- PATNA

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Manish Kumar Son of Dr. Narendra Pathak resident of E - 9 Desh Ratan
Path, Vijay Nagar, Hanuman Nagar, P.S. Patrakar Nagar, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Raj

For the Opposite Party/s : Mr. J.N. Thakur(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

06/ 02-11-2015

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.

A joint application dated 02.11.2015 has been
filed to the effect that both sides decided to part ways on
payment of permanent alimony of rupees twenty lakhs as
stipulated in affidavit dated 15.10.2015 filed on behalf of the
petitioner. It is mutually agreed between the parties that the



petitioner will make payment of Rs.5,00,000/- (Five lakhs) within a fortnight through a bank draft in favour of the informant submitted before the learned court below. The same will be released in favour of the informant. The petitioner will submit bank draft of Rs.15,00,000/- (Fifteen lakhs) in favour of the informant before the learned court below within a maximum period of nine months for being released to the informant. It is also agreed that petitioner will withdraw Matrimonial Suit No. 482 of 2015 and both sides file an application under Section 13(1)(B) of the Hindu Marriage Act within a period of three weeks before the learned Principal Judge, Family Court, Patna. It is expected from the learned Principal Judge, Family Court, Patna to dispose of the same in accordance with law expeditiously. The parties have also decided to file appropriate application for compromise/withdrawal of the complaint case filed by the petitioner against the informant and her family members and the informant will also file such appropriate application in Patna Mahila P.S. Case No. 09 of 2015 within a period of one month. It is expected from the learned courts below to dispose of the applications in accordance with law expeditiously.

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 Chief Judicial Magistrate, Patna in connection with Patna Mahila P.S. Case No. 09 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In case of default by either party in complying the undertaking given before this Court the aggrieved party will be at liberty to file appropriate application before this Court.

(Dinesh Kumar Singh, J.)

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