

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5430 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -PANAPUR District- SARAN

1. Pankaj Kumar Singh Son of Kameshwar Singh, Resident of Village -
Kharati Math, Police Station - Taraiya, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar 1(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-10-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences under Sections 147, 148, 341, 323, 498A, 504 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 and is ready to keep the informant with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner is still

ready to live with the informant but she is not ready
for the same.”

It is submitted by learned counsel for the informant that informant is not ready to accept the offer of the petitioner since she is apprehensive due to the past conduct of the petitioner.

On the joint prayer of the parties, the matter was referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority vide order dated 28.06.2016. The report of the Mediator at Flag-B dated 16.08.2016 reflects that the issue could not be resolved through the process of mediation.

In the alternative, petitioner is ready to make payment of Rs. 3000/- per month to the informant from November, 2016, by depositing the same in the bank account of the informant by second week of every succeeding month.

It is submitted by learned counsel for the informant that informant is ready to accept the offer of the petitioner and undertakes to supply her bank account number by submitting the same on affidavit before learned Court below within a period of three weeks.

Considering the present stand of the parties, 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 Additional Chief

Judicial Magistrate, IV, Saran, Chapra in connection with Panapur P.S. Case No. 133 of 2015.

The above payment 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)

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