

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16637 of 2016

Arising Out of PS.Case No. -107 Year- 2015 Thana -MANJHI District- SARAN

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Sachin Kumar Pandey S/o late Shyam Narayan Pandey R/o Village- Teghra,
P.s Manjhi, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Archana Kumari W/o Sachin KUMar Pandey R/o Village- Maripur
Kala, PS Manjhi,District Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Atul Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 25-07-2016 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 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.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant having no

children. The petitioner has filed Matrimonial Suit No. 410 of 2014 with a prayer for divorce and thereafter the present FIR was registered on 05.06.2015. Hence, the reconciliation is not feasible at present.

Counsel for the informant submits that the informant is ready to resume the conjugal life.

However, the petitioner is ready to make payment of Rs.5,000/- per month from August, 2016 to the informant by depositing the same in her account by second week of every succeeding month.

Counsel for the informant submits that the informant accepts the offer of the petitioner and undertakes to submit the bank account number on affidavit before the learned court below within a period of ten days.

Considering the filing of matrimonial suit at earlier point of time by the petitioner and the 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, Saran at Chapra in



connection with Manjhi P.S. Case No. 107 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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