

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4595 of 2016

Arising Out of PS.Case No. -668 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Deepak Kumar Patel, Son of Amichand Patel, resident of Village-
Bakalahar Math P.S. Gopalpur, District- West Champaran, Presently
residing at Boring Road, Pani Tanki, Block 'B' P.S.- Patliputra Colony,
District- Patna.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Veerendra Narayan, Advocate

For the Opposite Party/s : Mr. Smt. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the daughter
of the informant is apprehending his arrest in a case registered
for the offences punishable under Sections 498A, 341, 316 of
the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of dowry demand and getting the pregnancy of the
victim terminated.

The petitioner and daughter of the informant are
present.

It is submitted by the learned counsel for the
petitioner that petitioner admits the marriage with the daughter



of the informant having no issue, but at earlier point of time the wife of the petitioner lodged a complaint before the Mahila Help Line being File No. 31 of 2015-16 on 25.05.2015 with accusation of getting the pregnancy terminated. Though, the said matter could not be pursued and now been closed. It is further submitted that petitioner is ready to keep the daughter of the informant as wife with full dignity and honour. Statement to that effect has been made in para-6 of the petition which reads as follows:-

“That the petitioner is husband of the victim wife and was always ready to keep his wife with full love and dignity but she denied to live with him and want divorce from me.”

Learned counsel for the daughter of the informant submits that she is not ready to accept the offer of the petitioner since she is apprehensive due to cruel past conduct of the petitioner. However, in the alternative, the petitioner is ready to make payment of Rs. 2,000/- per month from June, 2016 to the daughter of the informant by depositing the same in her account by second week of every month.

Learned counsel for the daughter of the Informant submits that victim is ready to accept the offer of the petitioner and undertakes to submit her Bank Account Number within a period of two weeks.

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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 668 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

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

Three consecutive defaults in making payment will give liberty to the daughter of 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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