

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44192 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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1. Raj Kumar Singh son of Trith Nath Singh Resident of village - Chana Kewatia, Police Station - Behea, District - Bhojpur, At present r/o village - Bhawanipur, Ward No. 6, P.S. Kharagpur Town, District - Paschim Medinipur (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is languishing in custody since 26.07.2016 in a case registered for the offences punishable under Sections 341, 323, 498A/34 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.

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the informant and is still ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para 14 of the petitioner which reads as

follows:-

“That the petitioner is ready to keep in wife with full respect and dignity.”

Learned counsel for the informant submits that at present the informant is not ready to accept the offer of the petitioner, since she is apprehensive due to past conduct of the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 1000/- per month from December, 2016 to the informant by depositing the same in her account by second week of every succeeding month.

Learned counsel for the informant submits that informant is ready to accept the offer of the petitioner and undertakes to submit her Bank account number on affidavit before the learned court below within a period of three weeks.

Considering the present stand of the parties, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur, Ara in connection with Complaint Case No. Mahila P.S. Case No. 158 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The petitioner undertakes to supply a copy of the order to the informant within a period of three weeks when it is expected from the informant to submit her bank

account number by filing the same on affidavit before the learned court below within a period of three weeks.

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

The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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