

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45449 of 2016

Arising Out of PS.Case No. -246 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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Anil Kumar Sah Son of Sri Bhagwan Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Sri Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-10-2016

Heard learned counsels for the petitioner,

informant and the State.

The petitioner is languishing in custody since 23.08.2016 in a case registered for the offences punishable under sections 498A, 497, 379/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture and having illicit relationship with the sister-in-law (bhabhi).

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of a child, but in the present situation it is not possible for the petitioner to keep the informant as wife with full dignity and honour. However, the petitioner is ready to make payment of Rs.3500/- per month to the informant from

December, 2016 by depositing the same in the bank account of the informant by second week of every succeeding month.

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

Considering the present stand of the petitioner, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Ara, in connection with Bhojpur (Mahila) P.S. Case No.246/2016.

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

Three consecutive defaults in making payment by the petitioner will give liberty to the informant to file an application for cancellation of bail of the petitioner.

The present order will not preclude the parties to reconcile the issues otherwise.

(Dinesh Kumar Singh, J)

Ashwini/-

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