

Arising Out of PS.Case No. -188 Year- 2015 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

.... Petitioner/s

1. The State of Bihar.
2. Sarita Devi wife of Manoj Kumar Singh resident of Village - Ramadihra, Police Station - Bikramganj, District - Rohtas at Sasaram, Daughter of Late Bhola Singh, At present resident of Village - Itimha, Post Office - Karma, Police Station - Nasriganj, District - Rohtas at Sasaram.

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Dr. Indiwar Kumari

3 21-12-2016 Heard learned counsels for the petitioner,
complainant and the State.

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences under Sections 323, 498A 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.

The petitioner and the complainant are present in the Court.

It is submitted by learned counsel for the



petitioner that petitioner admits his marriage with the complainant and is ready to keep the complainant with full dignity and honour. A statement to that effect has been made in para 15 of the petition which reads as follows:-

“That the petitioner is ready to keep his wife with full honour and dignity.”

It is further submitted that similar was the stand of the petitioner before learned Court below but the complainant declined to accept the offer of the petitioner which gets reflected from the impugned order.

It is submitted by learned counsel for the complainant that complainant is apprehensive due to the past conduct of the petitioner, as a result, she is not ready to accept the offer of the petitioner.

It is submitted by learned counsel for the petitioner that in the alternative, petitioner is ready to make payment of Rs. 3500/- per month to the complainant from February, 2017, by depositing the same in the bank account of the complainant by second week of every succeeding month.

It is submitted by learned counsel for the complainant that complainant 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 four weeks.



Considering the present stand of the parties, in order to save the complainant from destitution and vagrancy with a lurking hope that the issue may be reconciled in future, 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 Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas at Sasaram in connection with Complaint Case No. 188 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 complainant 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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