

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26475 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -MAHILA PS District- BUXAR

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Chandan Yadav Son of Sri Murari Yadav @ Murali Yadav resident of
village - Lohandi, Police Station Itarhi, District - Buxar

.... Petitioner/s

Versus

1. The State of Bihar
2. Abha Devi Wife of Chandan Yadav and daughter of Sri Mahendra Singh at Present resident of village - Asha Pandari, P.S. Simari, District - Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 19-09-2016

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 341, 323, 324, 504, 506, 498A/34 of the Indian Penal Code and 4 of Dowry Prohibition Act and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

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

informant and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:-



“That the petitioner is husband of the informant and ready to keep his wife/opposite party no. 2 with all due dignity in accordance with his capacity.”

The petitioner and the informant are present in the Court.

Counsel for the informant submits that the informant is not ready to accept the offer of the petitioner since she is apprehensive due to past conduct of the petitioner.

However, in the alternative, the petitioner is ready to make payment of Rs.1,500/- per month from November, 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 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 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 Sub-divisional Judicial Magistrate, Buxar in connection with Buxar Mahila P.S. Case No. 21 of 2016, 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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