

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34348 of 2016

Arising Out of PS.Case No. -170 Year- 2015 Thana -NARDIGANJ District- NAWADA

Sanjeet Paswan son of Ramdeo Paswan, Resident of village Datraul P.S
Pakaribarawan District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar
2. Karina @ Manorma Devi W/o Sanjeet Paswan D/o Bachchu Paswan,
R/o village – Koshala P.S. Nardiganj, District – Nawada.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 06-09-2016

Heard learned counsels 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 323, 379, 498A of
the Indian Penal Code 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 daughter of the informant.

It appears from the impugned order that the matter was referred to reconciliation but petitioner refused to keep the daughter of the informant.

It is further submitted by learned counsel for the petitioner that now the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That there is only general and omnibus allegation has been levelled against the petitioner and he is ready to keep his wife with full dignity and honour as wife.”

It is further submitted that the petitioner has also filed Matrimonial Suit No. 53 of 2016 for restitution of conjugal rights.

Counsel for the informant submits that the daughter of the informant is not ready to accept the offer of the petitioner since she has been deserted by the petitioner since last ten years.

In the circumstances, learned counsel for the petitioner submits that the petitioner is ready to make payment



of Rs.1,800/- per month from November, 2016 to the daughter of the informant by depositing the same in her account by second week of every succeeding month.

Counsel for the informant submits that the daughter of the informant accepts the offer of payment by the petitioner and hence, she is not opposing the prayer for bail and undertakes to submit the bank account number on affidavit before the learned court below within a period of four weeks.

Considering 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, Nawada in connection with Nardiganj P.S. Case No. 170 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

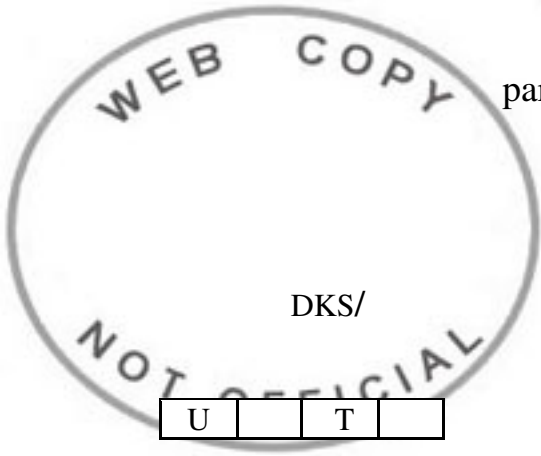
The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the 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.)

U		T	
---	--	---	--