

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33564 of 2016

Arising Out of PS.Case No. -398 Year- 2015 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Laljee Singh Son of Mahendra Singh resident of Village- Khelariya, P.S
Bikramganj, Distt Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nidhi Devi W/o laljee Singh, D/o Ashok Singh Vill- Khaira, Bhudhar,
P./S Bikramganj, Dist Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 09-08-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 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 complainant and he is still ready to keep the complainant as

wife with due dignity and honour. Statement to that effect has been made in para- 8 of the petition which reads as follows:-

“That petitioner is ready to keep the complainant with full dignity.”

Similar was the stand of the petitioner before the learned court below, but during reconciliation the complainant refused to accept the offer of the petitioner as she was apprehensive due to past conduct of the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 1500/- per month from September, 2016 to the complainant by depositing the same in her account by second week of every month.

Learned counsel for the complainant submits that complainant 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 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 bonds 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 in connection with Complaint Case No. 398 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 complainant within a period of three weeks when it is expected from the complainant to submit her bank account number by submitted the same on affidavit before the learned court below within a period of three weeks.

If the complainant declines to accept the offer of the petitioner, then the said amount will be deposited before the learned court below, which will be subject to result of the case, but if the informant accepts the offer of the petitioner then it will be deposited in the bank account of the informant given before the learned court below.

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

Three consecutive defaults in making payment will give liberty to the complainant 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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