

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52084 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Guddu Yadav son of Shyam Yadav, resident of village Upraura, P.S. Bihar Sharif, Disrtrict- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-03-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A and 307/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand and making assault. Though, earlier also the petitioner assaulted the informant when S.D. Entry No. 491 was lodged when the petitioner executed bail bonds.

The petitioner and the informant are present in the court.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her as wife with full dignity and honour.

Learned counsel for the informant submits that the informant is not ready to accept the offer of the petitioner since the petitioner performed second marriage. Performing of second marriage has not been denied by the petitioner.

In the alternative, the petitioner is ready to pay ₹2,000/- per month to the informant from May, 2016 by depositing the same in the bank account of the informant by second week of every month.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner and also undertakes to supply her bank account number to the petitioner within a period of three weeks by submitting the same on affidavit before the learned court below.

Considering the stand of the parties, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Mahila P.S. Case No. 99 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 in no way will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

Amrendra/-

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