

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58531 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -MAHILA P.S. District- LAKHISARAI

1. Amresh Kumar Son of Jitendra Prasad Singh Resident of Village -
Lodipur, P.s.- Sheikhpura, District - Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mausam Kumari Wife of Amresh Kumar Daughter of Shailendra Singh
@ Chunnu Singh Resident of Village - Kaithma, P.S.- Sirari (Sheikhpura),
District - Sheikhpura at present village - Hasanpur, P.S. & District -
Lakhisarai

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque, Adv
For the State : Mr. Ponoti Singh (App)
For the O.P. No. 2 : Mr. Dinkar Kumar, Adv

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 04-01-2016 Heard learned counsels for the petitioner, learned
counsel for the Opposite Party No.2 and the State.

The petitioner being the husband of the informant is
apprehending arrest in a case registered for the offences
punishable under Sections 323, 341, 406 and 498(A)/34 of the
Indian Penal Code.

The accusation against the petitioner is of torture.

It is submitted by learned counsel for the petitioner that
the petitioner admits his marriage with the informant and is ready
to keep her with full dignity and honour. A statement to that effect
has been made in para 8 of the petition which reads as follows:-

“That the petitioner is ready to keep the complainant as wife with full dignity and love affection but she did not want to live with her.”

Learned counsel for the informant, in reply submits that the informant is neither ready to live with the petitioner nor is opposing the prayer for bail of the petitioner, however, she is making prayer for some monthly payment.

In the circumstances, the petitioner is ready to pay Rs. 1,000/- per month to the informant from February, 2016 by depositing the same in the bank account of the informant by second week of every month.

Considering the stand of the petitioner, 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 22 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner will serve a copy of this order to the informant within a period of three weeks when it is expected that

the informant will supply her bank account number to the petitioner by filing the same on affidavit before the learned court below.

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.

(Dinesh Kumar Singh, J)

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