

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4864 of 2016

Arising Out of PS.Case No. -39 Year- 2014 Thana -MAHILA P.S. District- SARAN

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Prashant Kumar Singh @ Sonu, Son of Dilip Kumar Singh Resident of Sarvamangal E/256 A- Block, Khuntadih Sonari (East), Police Station- Sonari Jamshedpur, District- East Singhbhum, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nutan Kumari Singh, Daughter of Samrendra Kumar Singh, Residing at Mohalla- Ware House Gudari Bazar Main Road, Police Station- Bhagwan Bazar, Chapra, District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash
For the Opposite Party/s : Mr. S.Ehteshmuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 01-09-2016 The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504 and 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant having no issue. The petitioner and the informant have now decided to part ways on payment of permanent alimony. A joint compromise petition has been filed stipulating that the petitioner has agreed to



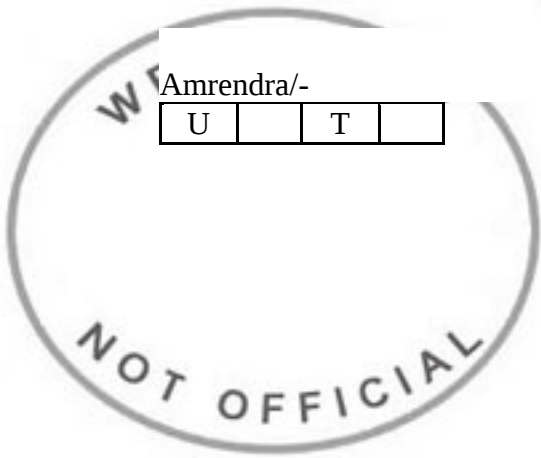
make payment of one time settlement amount of ₹28,00,000/-, out of which the petitioner has brought a bank draft of ₹15,00,000/- vide draft no. 098028 drawn in Union Bank of India, Tin Plate Branch, Jamshedpur. Counsel for the petitioner is handing over the draft to the counsel for opposite party no.2 for its being handed over to opposite party no.2. Rest of ₹13,00,000/- will be paid at the time of filing of Matrimonial Suit under Section 13(B) of the Hindu Marriage Act before the learned Principal Judge, Family Court, Chapra. The parties have also agreed to withdraw all the cases lodged against each other.

Learned counsel for the informant has not controverted the contention of counsel for the petitioner and admits that he has received the draft of ₹15,00,000/-.

It is expected from the learned counsel for the informant to make endorsement of draft of ₹15,00,000/- on record.

Considering the present 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 A.C.J.M., 1st Saran at Chapra in connection with Saran Mahila P.S. Case No. 39 of 2014, subject

to the conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)