

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8679 of 2016

Arising Out of PS.Case No. -171 Year- 2015 Thana -BARH District- PATNA

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Sanjeev Kumar Pandey Son of Chandramauli Pandey Resident of Village-
Achuara, P.s Barh, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Archna Devi, W/o Sanjay Kumar Pandey, at present residing at village –
Barucha, P.S. & District – Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Manish Kumar 2 (App)

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

07/ 24-10-2016

Heard learned counsels for the petitioner, State

and the informant-opposite party no. 2.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 498A, 307, 379 and 324/34
of the Indian Penal Code

The basic accusation is of torture, making
assault and driven out the informant from the matrimonial
house.

The petitioner and the informant are present in
the Court.

Counsel for the informant submits that the

petitioner admits his marriage with the informant and birth of two children. The son is residing with the petitioner while the daughter is residing with the informant. It is further submitted that the petitioner is the only son to look after his parents. The mother of the petitioner died due to cancer and the father is a blind person. Hence, the petitioner is apprehensive due to the past bad conduct of the informant.

Counsel for the informant submits that the informant is still ready to resume the conjugal life as it is very difficult to maintain herself and her infant daughter.

In the alternative, counsel for the petitioner submits that the petitioner is ready to make payment of Rs.2,000/- per month from December, 2016 to the informant by depositing the same in her account by second week of every succeeding month.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner and undertakes to submit bank account number on affidavit before the learned court below within a period of four 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 171 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 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.)

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