

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19137 of 2016

Arising Out of PS.Case No. -253 Year- 2014 Thana -RUPASPUR District- PATNA

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1. Amit Kumar Singh son of Akshaywar Singh resident of SH - 6/132, A - 19, Hanumant Nagar Colony, Kothwalia, Police Station - Sheopur (Varanasi) in the district of Varanasi (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Neha Kumari @ Neha Singh daughter of Prof. Vijay Kumar Singh w/o Amit Kumar Singh Resident of LIC Colony near Sheo Mandir R.P.S. Mahila College Road, Patna, Police Station - Rupaspur, (Patna), District - Patna, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dwivedy Surendra
For the Opposite Party/s : Mr. Zainul Abedin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 30-08-2016

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

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

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant but now both sides have decided to part ways on payment of permanent alimony of Rs. 6,50,000/-.

I.A. No. 1749 of 2016 has been filed to the effect that both sides have decided to part ways on permanent alimony of Rs. 6,50,000/- and as per the terms of the agreement the draft of Rs. 6,50,000/- will be submitted before the learned Court below which will be released in favour of the

informant by learned Judicial Magistrate, 1st Class, Danapur, Patna on conclusion of proceeding of Rupaspur P.S. Case No. 253 of 2014. Both sides agree to file appropriate application with regard to the issue being resolved in terms of payment of permanent alimony before learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Rupaspur P.S. Case No. 253 of 2014 and before learned Principal Judge, Family Court, Varanashi(U.P) in connection with HMP No. 912 of 2014. Both sides also agree to appear in both the proceedings regularly.

Learned counsel for the informant does not controvert the contention of the counsel for the petitioner.

In the circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Rupaspur P.S. Case No. 253 of 2014.

The provisional bail of the petitioner will be confirmed by learned Court below on release of the draft of Rs. 6,50,000/- in favour of the informant and after its encashment.

(Dinesh Kumar Singh, J)

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