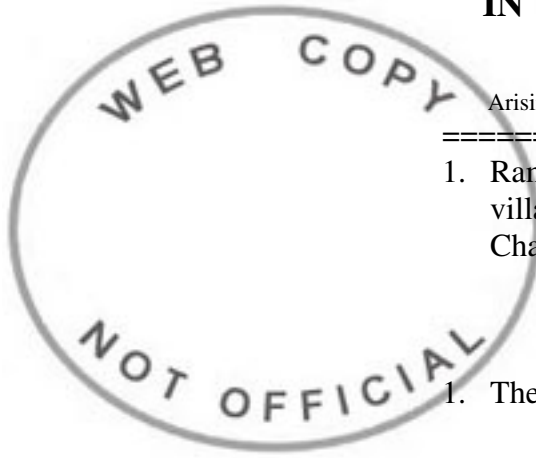




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20088 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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1. Ramu Singh @ Rakesh Singh Son of Shiv Shankar Singh resident of village - Fakuli, Police Station Chapra Muffasil, District - Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-09-2016 The petitioner being husband of the niece of the informant is apprehending his arrest in a case registered for the offences under Sections 498A, 323, 341, 342, 34 of the Indian Penal Code and 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 niece of the informant but since the informant's side assaulted the petitioner and his family members leading to registration of Chapra Muffasil P.S. Case No. 30 of 2016 against the informant and others, hence petitioner is not in a position to keep the niece of the informant at present.

However the petitioner is ready to make payment of Rs. 1800/- per month to the niece of the informant from October, 2016, by depositing the same in the bank account of the niece of the informant by second week of every consecutive month.

Considering the nature of accusation, none appearance of the O.P. No. 2 and the present stand of the petitioner to make monthly payment to save the O.P. No. 2 from vagrancy and destitution, 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 anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, Saran in connection with Chapra Muffasil P.S. Case No. 19 of 2016.

Learned counsel for the petitioner submits that petitioner will serve a copy of this order to the niece of the informant when it is expected from the niece of the informant to supply her bank account number by submitting the same on affidavit before learned Court below within a period of three weeks thereafter.

The above payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment will give liberty to the niece of the informant to file

appropriate 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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