

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32214 of 2015

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

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1. Md. Sajjad S/o Md. Shoaib Resident of Mohalla Chandrapura, Simla Colony, P.S. Chandrapura, District Bokaro (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Zanat Aamrin D/o Salauddin Resident of Mohalla Haji Mohalla Jogwani, P.S. Jogwani, District Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Khurshid Alam, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 05-04-2016 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 307, 341, 323 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand and making assault to the informant.

The petitioner and informant are present.

The matter has been adjourned for several occasions allowing the petitioner and informant to reconcile the issue, but the issue has not been reconciled.

It is submitted by the learned counsel for the



petitioner that petitioner admits the marriage with the informant and has given Talak to the informant as per the Muslim rites. In the alternative, the petitioner is ready to make payment of Rs. 3000/- per month from May, 2016 to the informant by depositing the same in her account by second week of every month.

Learned counsel for the informant disputes the factum of Talak, but ready to accept the offer of the petitioner and undertakes to submit her Bank Account Number within a period of three 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 39 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The petitioner undertakes to supply a copy of the order to the informant within a period of three weeks when it is expected from the informant to submit the bank account number by filing the same on affidavit before the learned court below within a period of three weeks. The petitioner also undertakes to appear regularly in the maintenance proceeding

pending before the learned court below.

The aforesaid payment will be subject to any order being passed in matrimonial or maintenance 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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