

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35319 of 2015

Arising Out of PS.Case No. -26789 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Manoj Kumar @ Manoj Kumar Singh Son of Satendra Singh Resident of
Village - Chhithawan, P.S.Maner, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Juli Kumari W/o Manoj Kumar, D/o Chandra Bhushan Singh presently
residing at Ram Krishna Nagar, P.S. Ram Krishna Nagar, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manju Kumari, Advocate
For the Opposite Party/s : Mr. Kr. Virendra Narayan(App)

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

7 31-03-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 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 petitioner admits the marriage with the complainant and ready to keep her with due dignity and

honour.

On the joint prayer of the parties the matter was referred to the Bihar State Legal Services Authority vide order dated 29.09.2015. The report of the Mediator dated 11.12.2015 reflects that the issue could not be resolved through the process of mediation. However, the counsel for the petitioner submits that the petitioner is ready to make payment of Rs. 3,50,000/- as one time settlement amount subject to dissolution of marriage within a period of three months.

Learned counsel for the complainant submits that the complainant is ready to accept the offer and both sides agree to file an appropriate Matrimonial Suit under Section 13B of the Hindu Marriage Act before the Principal Judge, Family Court, Patna within a period of three weeks from today.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for three month 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 like amount each to the satisfaction of learned Sri Ghan Shyam Singh, J.M., Ist Class, Patna, in connection with Complaint Case No. 26789C of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The provisional bail of the petitioner will be

confirmed by the learned court below on payment of one time
settlement amount of Rs. 3,50,000/- to the complainant
through Bank Draft.

(Dinesh Kumar Singh, J)

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