

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29203 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -MAHILA P.S. District- NAWADA

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Suchit Ram @ Suchit Kumar S/o Ambika Prasad @ Amirak Prasad
Resident of village - Datti Tilka, P.S. Rajauli, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. Ganita Kumari W/o Suchit Kumar resident of village - Damodarpur,
P.S. Nardiganj, District - Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 29-08-2016

Heard learned counsels 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, 342, 323, 504/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the

informant and birth of two children, one is residing with the petitioner while other child is residing with the informant. It is further submitted that the petitioner make all effort to resolve the issue but the informant always tried to extort money and at present he is not ready to reconcile the issue.

However, counsel for the informant submits that the informant is still ready to resume the conjugal life.

In the alternative, the petitioner is ready to make payment of Rs.4,500/- per month from October, 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 the bank account number on affidavit before the learned court below within a period of three weeks.

Considering the rival submissions of the parties and the present stand of the parties with lurking hope that the issue may be reconciled in future and in order to save the informant from vagrancy and destitution, 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-III, Nawada in connection with Nawada Mahila P.S. Case No. 14 of 2016, 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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