

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48909 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Narayan Prasad Son of Dashrath Prasad, Resident of Miscott, P.S. -
Motihari Town, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Kumari, D/o Chandreshwar Prasad, W/o Narayan Prasad,
Residing at Vill. - Pakridayal, P.S. - Pakridayal, District - East
Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 26-07-2016 Petitioner being husband of the informant is
apprehending his arrest in a case registered for the offences
under Section 498A 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
informant on 24.05.2014 but somehow or other the informant
could not be compatible with the petitioner, as a result the
petitioner filed Matrimonial Suit No. 108 of 2015 with a prayer
for divorce on 22.04.2015 and thereafter the present F.I.R was
registered on 14.06.2015.

The matter was adjourned on 15.03.2016 and thereafter on 27.06.2016 to make to make an effort to resolve the issue but there is no likelihood of the issue being resolved at present.

In the alternative, petitioner is ready to make payment Rs. 2200/- to the informant from August, 2016, by depositing the same in the bank account of the informant by second week of every month. Learned counsel for the informant submits that informant is ready to accept the offer of the petitioner and undertakes to submit her bank account number by submitting the same on affidavit before learned Court below within a period of two weeks.

Considering the present stand of the parties, 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 Sub-Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Pakridayal P.S. Case No. 76 of 2015, G.R. Case No. 912 of 2015.

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 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.

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(Dinesh Kumar Singh, J)