

Arising Out of PS.Case No. -119 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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.... Petitioner/s

1. The State of Bihar.

.... Opposite Party/s

For the Petitioner/s : Mr. Prabhu Narayan Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

The petitioner being husband of the
prehending his arrest in a case registered for
r Sections 323, 498A/34 of the Indian Penal
¾ of the Dowry Prohibition Act.

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that petitioner was forcefully married with the informant when he was minor. The petitioner has filed Matrimonial Suit No. 245 of 2014 with a prayer for divorce and thereafter the present F.I.R has been registered on 08.07.2015. The petitioner is army personnel and in the aforesaid

background the reconciliation is not feasible at present.

In the alternative, petitioner is ready to make payment of Rs. 3000/- per month to the informant from November, 2016, by depositing the same in the bank account of the informant by second week of every consecutive month.

It is submitted by learned counsel for the informant that marriage was performed in the year 2002 and in the year 2015, during reconciliation outside the Court the petitioner undertook to take the informant to his place of posting. The petitioner filed matrimonial suit after twelve years of marriage when he got employed in army in the year 2008. However, the informant is ready to accept the offer of the petitioner and undertakes to supply her bank account number by submitting the same on affidavit before learned Court below within a period of four weeks.

Considering the filing of matrimonial suit at earlier point of time and the present stand of the parties with objective in mind to save the informant from destitution and vagrancy, 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, Ara, Bhojpur in connection with Bhojpur Mahila P.S. Case No. 119 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.

Shageer/-

(Dinesh Kumar Singh, J)

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