

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20464 of 2016**

Arising Out of PS.Case No. -6 Year- 2016 Thana -MAHILA PS District- GAYA

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1. Kundan Kumar son of Sri Mahendra Yadav, Resident of village- Rahim Bigha, P.s.- Chandoati, District- Gaya

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Prasad Singh

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

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

5 20-10-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences under Sections 498A, 323, 504 of the Indian Penal Code and Section 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 having no issue.

On the joint prayer of the parties, the matter was referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority vide order dated 09.05.2016. The report of the Mediator at Flag-A dated 05.08.2016 reflects that the issue could not be resolved due to the latches on the part of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is army personnel and is ready to make payment of Rs. 5000/- per month to the informant from December, 2016, by depositing the same in the bank account of the informant by second week of every succeeding month.

It is submitted by learned counsel for the informant that 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 present stand of the parties with a view to save the informant from destitution and vagrancy with a lurking hope that the issue may be reconciled in future, 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 Chief Judicial Magistrate, Gaya in connection with Mahila P.S. Case No. 06 of 2016.

The above mentioned 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/-

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**(Dinesh Kumar Singh, J)**