

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36571 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -MAHILA P.S. District- PATNA

=====

Chandan Kumar @ Chandan Sharma son of Sri Vijay Mistry @ Vijay
Sharma resident of Village-Khanpura, Police Station- Bhagwanganj,
District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Devi Wife of Sri Chandan Kumar, Daughter of Sri Ramanju
Sharma At Present residing at of Mohalla- Rupaspur Bazaar, Police
Station- Rupaspur, District- Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Singh

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

=====

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

ORAL ORDER

04/ 16-12-2016 Heard learned counsels for the petitioner, State
and the opposite party no.2-informant.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 498A/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 having no issue. It is further submitted that the petitioner is ready to keep the informant as wife with full dignity and honour, though, statement to that effect has not been made in the petition.

Counsel for the informant submits that the informant is apprehensive due to the past conduct of the petitioner as she was being severely tortured.

However, counsel for the petitioner submits that the petitioner is ready to make payment of Rs.2,000/- per month from January, 2017 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 her bank account number on affidavit before the learned court below within a period of three weeks.

Considering the present stand of the parties, which amount will save the informant, at present, from destitution and vagrancy and with a lurking hope that the issue may be reconciled in future, 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 Judicial Magistrate, Ist Class, Patna in connection with Mahila Thana P.S. Case No. 08 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.)

DKS/

U		T	
---	--	---	--

