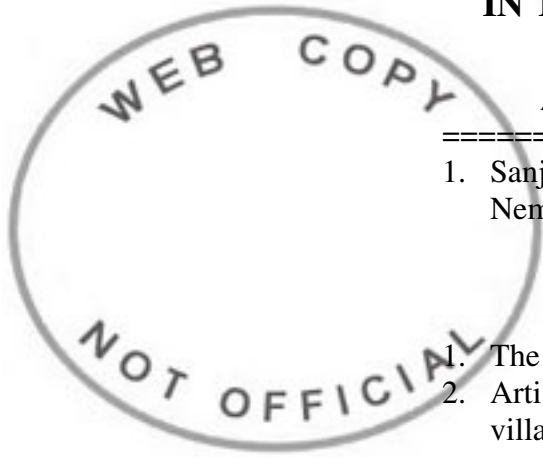




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18217 of 2016

Arising Out of PS.Case No. -444 Year- 2015 Thana -SUPAUL District- SUPAUL

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1. Sanjay Ram @ Domi Ram S/o - Puran Ram Resident of Village -
Nemua, P.S. - Ramdatpatti, P.S. - Supaul, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arti Devi W/o - Sanjay Ram, D/o - Ram Nandan Ram resident of
village - Laxmipur, P.S. - Triveniganj, District - Supaul.

.... Opposite Party/s

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with

Criminal Miscellaneous No.19076 of 2016

Arising Out of PS.Case No. -444 Year- 2015 Thana -SUPAUL District- SUPAUL

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1. Puran Ram S/o Late Rasik Ram Resident of village - Nemua, P.O.
Ramdatpatti, P.S. Supaul, District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.18217 of 2016)

For the Petitioner/s : Mr. Nafisuzzoha

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

(In Cr.Misc. No.19076 of 2016)

For the Petitioner/s : Mr. Nafisuzzoha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 11-08-2016 Petitioner Sanjay Ram @ Domi Ram being
husband of the grand-daughter of the informant and petitioner
Puran Ram(Cr. Misc. No. 19076 of 2016) being father of
petitioner Sanjay Ram @ Domi Ram are apprehending their

arrest in a case registered for the offences under Sections 498A, 341, 323, 506, 504, 364/34 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, kidnapping the grand-daughter of the informant and getting the pregnancy terminated.

It is submitted by learned counsel for the petitioners that petitioner Sanjay Ram @ Domi Ram admits his marriage with the grand-daughter of the informant. The victim was recovered from the house of the informant after about two months. Subsequently the 164 Cr.P.C statement of the victim was recorded where she did not disclose the commission of kidnapping. The victim was medically examined on 05.12.2015 where the doctor did not find any termination of pregnancy. The petitioner Sanjay Ram @ Domi Ram is ready to keep the grand-daughter of the informant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner being
husband of Arti Devi always ready to keep her
with full respect and dignity”

It is submitted by learned counsel for the informant that grand-daughter of the informant is not ready to accept the offer of the petitioner as she is apprehensive due to the past conduct of the petitioner Sanjay Ram @ Domi Ram.

In the alternative, petitioner Sanjay Ram @ Domi Ram is ready to make payment of Rs. 1500/- to the grand-daughter of the informant from September, 2016, by depositing the same in her bank account by second week of every succeeding month.

It is submitted by learned counsel for the informant that the offer is acceptable to the grand-daughter of the informant who undertakes to submit her bank account number by submitting the same on affidavit before learned Court below within a period of three weeks.

Considering the present stand of petitioner Sanjay Ram @ Domi Ram to make payment of Rs. 15,00/- per month as maintenance to the grand-daughter of the informant, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 444 of 2015(G.R. No. 1715 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 grand-daughter of the informant to file appropriate application for cancellation of bail of the

petitioner Sanjay Ram @ Domi Ram.

The present order, in no way will preclude
the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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