

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20807 of 2016

Arising Out of PS.Case No. -214 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

1. Chandan Rai @ Chandan Kumar Rai Son of Bajrangi Ray Resident of village - Nadhi @ Narhi, Police Station Sahar, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Nath

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 16-05-2016 Heard learned counsels for the petitioner, informant and the State.

The petitioner being husband of the informant is languishing in custody since 25.2.2016 in a case registered for the offences punishable under Sections 341,323,379,498A and 504/34 of the Indian Penal Code.

The basic accusation is of torture.

Though the petitioner was granted provisional anticipatory bail on the undertaking that the petitioner was ready to keep the informant but the petitioner subsequently failed to comply the undertaking before the learned court below.



Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant. It is further submitted that since the relationship between the petitioner and his step mother is not compatible hence the reconciliation between the petitioner and the informant is not feasible. However, the petitioner is ready to make payment of Rs.1500/- per month from June, 2016 by depositing the same in the bank account of the informant by second week of every month. Learned counsel for the informant is ready to accept the offer and undertakes to submit her bank account number within three weeks on affidavit before the learned court below.

Considering the present stand of the parties, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bhojpur at Ara in connection with Mahila P.S. Case No. 214 of 2014.

The aforesaid payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment

by the petitioner will give liberty to the informant to file an application for cancellation of bail of the petitioner.

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

(Dinesh Kumar Singh, J)

Anil/-

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