

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22749 of 2015

Arising Out of PS.Case No. -57 Year- 2014 Thana -MAHILA P.S. District- BHAGALPUR

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1. Md. Gufran Son of Late Md. Bhallo Resident of village - Manchipur,
P.S. Lodipur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Aiyasa Khatoon Daughter of Md. Noor Alam Resident of village -
Manchipur, P.S. Lodipur, District - Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate
For the Opposite Party/s : Mr. Binod Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 29-01-2016 Heard learned counsel for the petitioner and the

State.

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 the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

It is submitted by the learned counsel for the
petitioner that petitioner admits the marriage with the
informant and birth of a male child. Since the petitioner has



performed second marriage. Hence, the issued does not appear to reconcile. In the alternative, the petitioner is ready to make payment of Rs. 2,000/- per month from March 2016 to the informant by depositing the same in her account by second week of every month.

Learned counsel for the informant submits that informant is ready to accept the offer and submit her Bank Account Number within a period of three weeks.

Considering the present stand of the parties, 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Mahila P.S. Case No. 57 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The petitioner undertakes to supply a copy of the order to the informant within a period of three weeks when it is expected from the informant to submit the bank account number by filing the same on affidavit before the learned court below within a period of three weeks.

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

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