

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56222 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -EAST COLONY District- MUNGER

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Abhishek Kumar @ Pashupati Nath son of Amarnath Sah

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 28-07-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of a male child. It is further submitted that when the informant herself deserted the petitioner, the petitioner performed second marriage. The informant has also performed second marriage.

It is submitted by learned counsel for the informant that

the informant has not performed second marriage.

Learned counsel for the petitioner further submits that the petitioner is ready to make payment of Rs.2500/- per month to the informant from September, 2016 by depositing the same in the bank account of the informant by second week of every month.

The counsel for the informant submits that the informant is ready to accept the offer of the petitioner and undertakes to submit bank account on affidavit before the learned court below within a period of three weeks.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 the learned Judicial Magistrate, 1st Class, Munger, in connection with East Colony P.S. Case No.30/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 not preclude the parties to reconcile the issues otherwise.

(Dinesh Kumar Singh, J)

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