

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7755 of 2016

Arising Out of PS.Case No. -67 Year- 2013 Thana -KANHAULI District- SITAMARHI

Jubail Khan son of Kasim Khan, R/o Village- Bhandari, P.S.- Dhaka,
District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar.
2. Taranzum Khatoon D/o Late Yunus Khan Resident of village – Marpa
P.S. Kanhauli, District – Sitamarhi.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 30-06-2016

Heard learned counsels 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, 323, 379 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 learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of two children, but the petitioner has performed second marriage. Though, the petitioner is ready to

keep the informant in the matrimonial house and also ready to make payment of Rs.2,500/- per month from August, 2016 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 and undertakes to submit the bank account number on affidavit before the learned court below 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Kanhauli P.S. Case No. 67 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

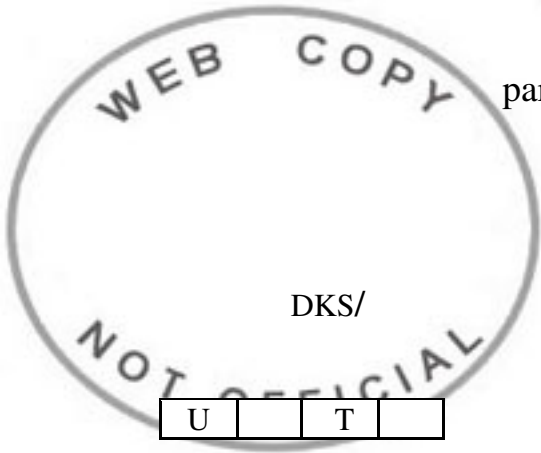
The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

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.)

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