

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15234 of 2016

Arising Out of PS.Case No. -189 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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1. Rohit Raj s/o late Amit Kiran resident of vill - Koilwar, p.s. - Koilwar,
Dist - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pratima Rai w/o Rohit Raj D/o Mithilesh Kumar Rai Resident of Muhalla
- Pakari Ara, p.s. - Ara Nawada, Dist - Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Uday Pratap(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 21-02-2017 Heard learned counsels for the petitioner, informant and
the State.

The petitioner being husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341,323,498A/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands and making assault.

The petitioner and the informant are present in court.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant having no issue but since the informant used to torture the mother of the petitioner



who is bed-ridden, hence, the petitioner is not ready to keep her so long as his mother is alive.

Learned counsel for the informant submits that the informant is ready to resume the conjugal life in spite of the fact that the informant was being tortured at the hands of the petitioner.

The matter was adjourned since 6.4.2016, hence the chance of issue being reconciled does not appear feasible. However, learned counsel for the petitioner submits that the petitioner is ready to make payment of Rs.2500/- per month from April, 2017 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 provide the bank account number of the informant to the petitioner within four weeks by submitting the same on affidavit before the learned court below.

Considering the present stand of the parties, in order to save the informant from destitution and vagrancy with the lurking hope that the issue may reconcile in future, 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 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 CJM, Bhojpur at Ara in connection with Mahila P.S. Case No.189 of 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 the connected 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/-

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