

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54349 of 2015

Arising Out of PS.Case No. -569 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

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1. Rajesh Yadav Son of Dhaneshwar Yadav Both Resident of village - Ghaghra, P.S. Chandramandih, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar
2. Chandravati Devi D/o Mahendra Yadav resident of Dahiari, P.S. Sono, District - Jamui

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 17-01-2017 Heard learned counsels for the petitioner, complainant and the State.

The petitioner being husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken under Section 498A 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.

The petitioner and the informant are present in court. Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of two



children. It is further submitted that the complainant put the house of the petitioner on fire, as a result the petitioner filed Complaint Case No. 534 of 2014 on 5.4.2014 which came to be registered as Chandramandih P.S. Case No. 77 of 2014 on 21.11.2014 whereas the present complaint was filed on 16.4.2014. In the criminal case the complainant has been chargesheeted. In the circumstances, the petitioner is not ready to keep the complainant. However, the petitioner is ready to make payment of Rs. 4500/- per month to the complainant from February, 2017 by depositing the same in the bank account of the complainant by second week of every month. Learned counsel for the complainant is ready to accept the offer and undertakes to provide the bank account number of the complainant to the petitioner within three weeks by submitting the same on affidavit before the learned court below.

Considering the present stand of the parties, 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 SDJM, Jamui in connection with Complaint Case No. 569 C of 2014 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 complainant 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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