

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19369 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -MAHILA P.S. District- SEKHPURA

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Parsuram Pandit son of Radhey Shyam Pandit, Resident of village- Kailash
Nagar, P.S.- Shekhopursarai, District- Sheikhpura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastri(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 19-01-2017

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 Sections 498A and 307/34 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 and making an attempt to kill the informant by causing burn injury.

It is submitted by learned counsel for the petitioner that the petitioner disputes the factum of marriage as the informant is within the prohibited degree of relationship with the petitioner.

On joint prayer of the parties, the matter was referred to the Mediation & Reconciliation Centre of Bihar State Legal



Services Authority vide order dated 10.11.2016. The report of the mediator dated 13.12.2016 suggests that the mediation could not be resolved through the process of mediation.

It is further submitted by learned counsel for the petitioner that though, the petitioner disputes the factum of marriage but he is ready to make payment of ₹2,500/- per month as maintenance for the welfare of the informant.

Learned counsel for the informant submits that the informant is not within the prohibited degree of relationship with the petitioner. The informant is ready to resume the conjugal life and is not ready to accept the offer of the petitioner of making monthly payment.

Considering the rival submissions of the parties, since the factum of marriage is in dispute, let the above named petitioner be released 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sheikhpura in connection with Sheikhpura Mahila P.S. Case No. 06 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner will deposit ₹2,500/- per month



before the learned court below which will be subject to the result of the present case.

The aforesaid amount will be released in favour of the informant if the informant files such application for release and thereafter the petitioner will deposit the said amount in the bank account of the informant on her submission of her bank account before the learned court below on affidavit.

(Dinesh Kumar Singh, J)

Amrendra/-

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