

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35862 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- TARAIIYA District- Saran

Manoj Singh, Son of Ramayan Singh, Resident of Village- Dumari Chapiya,
P.S. Taraiya, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 07-09-2018 Heard learned counsels for the parties.

The petitioner and the informant are present in court.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under sections 498A,323,504,506 and 406/34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act.

The basis accusation is of torture for non-fulfillment of dowry demands and driving out the informant from the matrimonial house and giving threat to perform second marriage due to non fulfillment of further dowry.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant, having no issue. It is further submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that



effect has been made in paragraph 11 of the petition which reads as follows:

“That petitioner has no grievance with the Informant and he is ready to live with her.”

On joint prayer of the parties, the matter was referred to the Mediation and Conciliation Centre of the Patna High Court vide order dated 28.6.2018 but the issue could not be resolved as the informant is not ready to resume the conjugal life.

Learned counsel for the informant submits that due to past conduct of the petitioner, the informant is not ready to resume the conjugal life and is ready to part ways on payment of one time settlement amount, however, the parties could not come to resolve the issue due to difference on the quantum of amount. Learned counsel for the petitioner, in the alternative, submits that the petitioner is ready to make payment of Rs.2,500/- per month to the informant from October, 2018 by depositing the same in her bank account by second week of every succeeding month.

The learned counsel for the informant, on instructions, submits that the informant accepts the offer of the petitioner and is ready to submit her bank account number within a period of three weeks from today by filing the same on affidavit before the learned court below.



Considering the present stand of the parties, in order to save the informant for the present from destitution and vagrancy with a lurking hope that the issue may reconcile in future, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM – 9, Saran at Chapra in connection with Taraiya P.S. Case No. 32 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

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

Three consecutive defaults in making payment will given 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.

(Dinesh Kumar Singh, J)

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