

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6451 of 2018

Arising Out of PS. Case No.-433 Year-2017 Thana- BRAHMPUR District- Buxar

Pappu Singh, Son of late Bihari Singh, Resident of Village- Garaha Thakala,
Police Station- Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Devi, Wife of Pappu Singh, Daughter of Jhulan Singh, Resident of Village- Babura, P.S. Barahara, District- Bhojpur (Ara).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv.

For the Opposite Party/s : SRI ANAND KISHORE CHOUDHARY, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2018 Heard learned Counsel 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, 307/34 of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and attempting to kill the informant.

It is submitted on behalf of the petitioner that the petitioner admits his marriage with the informant and birth of a female child. The petitioner is ready to keep the informant as wife with full dignity and honour, but it appears from the



impugned order that the informant appeared and declined to reside with the petitioner. There appears no chance of any reconciliation which gets reflected from the impugned order, which reads as under :-

“Pappu Singh, husband/petitioner no.1 and Prinka Devi, wife/informant have appeared in the Court room with their learned Counsels in presence of learned P.P. but due to fear of her husband Prinka Devi was not ready to go in her matrimonial home & efforts of compromise between the parties have failed & the matter was heard on merit.”

However, learned counsel for the petitioner further submits that in alternative the petitioner is ready to make payment of Rs.1500/- per month to the informant from March, 2018 by depositing the same in the bank account of the informant by second week of every succeeding month.

Considering the present stand of the petitioner, 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 12 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 the learned SDJM, Buxar, in connection with Brahampur P.S. Case No. 433 of 2017, subject



to the conditions as laid down under Section 438(2) of the Cr.P.C.

The petitioner will serve a copy of this order to the informant within a period of three weeks when it is expected that the informant will provide her bank account number to the petitioner by filing the same on affidavit before the learned court below. However, in the event, if the informant fails to submit her bank account number or, on appearance, she declines to accept the offer of the petitioner, the aforesaid amount will be deposited before the learned Court below, subject to result of the case.

The aforesaid payment will be subject to any order being passed in matrimonial/maintenance or in any collateral 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 not preclude the parties to reconcile the issues otherwise.

(Dinesh Kumar Singh, J)

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