

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24067 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- JOGAPATTI District- West Champaran

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DHAMU SINGH @ DHARMENDRA SINGH Son of Ramdeo Singh,
Resident of Village-Baldeeha, Police Station-Yogapatti (Nawalpur), District-
West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi, wife of Dhamu Singh, Resident of village – Baldiha, P.S.-
Yogapatti (Nawalpur), District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 17-09-2019 The petitioner apprehends his arrest in connection with

Yogapatti (Nawalpur) P. S. Case No. 115 of 2018 registered

under Sections 323, 341, 498A, 504 and 506/34 of the Indian

Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioner, as per FIR, lodged by

wife of the petitioner Sunita Devi, stating therein that she was

married with the petitioner four years ago according to Hindu

rites. After marriage, she lived in her matrimonial home

peacefully, however, thereafter, petitioner and other family

members started demanding Hero Glamour Motorcycle and Rs.

1,50,000/- cash from the informant and her family members.

Out of their wedlock, one girl child has also born.

It appears that matter was referred for mediation in order



to explore the possibility for amicable settlement in between the parties, but from the report of the learned Mediator, it appears that mediation between the parties has failed.

The matter was taken up by this Court on 13.09.2019 and both petitioner as well as the informant i.e., O.P.No. 2 were directed to be present before this Court in order to arrive at amicable settlement between the parties by way of last chance. In pursuance thereof, both, petitioner as well as O.P.No. 2, are present along with their respective counsel.

Learned counsel appearing on behalf of the petitioner, upon instruction, submits that petitioner is not ready to keep the O.P.No. 2 in his house, however, without prejudice to his right and contention, he is ready to pay a sum of Rs. 3000/- per month as living cost to the informant and the said amount of Rs. 3000/- shall be deposited in the bank account of the O.P.No. 2 every month and the account number will be provided by the learned counsel for the O.P.No. 2 to the learned counsel for the petitioner by tomorrow.

The offer made by the learned counsel for the petitioner has been accepted by learned counsel for the O.P.No. 2 on instruction.

Having regard to the submissions made by the parties and



taking into consideration the fact that petitioner is ready to pay a sum of Rs. 3,000/- per month as maintenance cost to the O.P.No. 2 i.e., informant and her child and offer made by the petitioner is accepted by the O.P.No. 2, I am inclined to grant anticipatory bail to the petitioner. Accordingly, provisional anticipatory bail granted to the petitioner vide order dated 15.04.2019 is hereby confirmed subject to the condition that the petitioner shall pay a sum of Rs. 3000/- per month to be started from 1st October, 2019 in the bank account of the O.P.No. 2 positively by 10th day of every month, which shall be the subject to final outcome of any matrimonial case or maintenance case filed in between the parties. If petitioner deviates from his undertaking and fails to deposit the aforesaid amount regularly, the O.P.No. 2 shall be at liberty to file an appropriate petition before an appropriate court of law.

This application, accordingly, stands disposed of.

(Anil Kumar Sinha, J)

sujit/-

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