

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26346 of 2019

Arising Out of PS. Case No.-88 Year-2017 Thana- PARSA District- Saran

Ranjan Kumar Singh, Son of Late Nand Kishore Singh Resident of Village -
Safri, P.S.- Ekma, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari @ Sammi Daughter of Shree Shiv Narayan Sharma
Resident of Village - Latarahiya (Bahlolpur), P.S.- Parsa, District - Saran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Vitesh Kumar Singh, Adv.
For the Informant	:	Mr. Ujjawal Bhushan, Adv.
For the State	:	Mr. Syed Ehteshamuddin, APP.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

12 16-11-2019 Heard learned counsels for the petitioners and the
State.

The petitioner, being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323 and 498A/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant was married with the petitioner on 31.05.2010, subsequently, further dowry demand of a car was made and due to non-fulfillment of the same the informant was tortured by the petitioner and his other family members and ultimately, she was driven out from her matrimonial house.



It appears that the matter was referred to the Mediation and Conciliation Centre of the Patna High Court Legal Services Committee, vide order dated 16.08.2019. The report of the Mediator, dated 13.10.2019, kept at flag-'M' reflects that the dispute between the parties could not be resolved through the process of mediation.

Learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour.

Learned counsel for the informant submits that due to past conduct of the petitioner, the informant is not ready to reside with the petitioner. It is further submitted the informant has also filed Maintenance Case No. 295 of 2018, before the learned Principal Judge, Family Court, Saran, but the petitioner is not appearing in that case.

However, learned counsel for the petitioner submits that in alternative, the petitioner is ready to pay Rs. 10,000/- per month to the informant from December, 2019 by depositing the same in the bank account of the informant by second week of every month.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner and she



undertakes to provide her bank account number to the petitioner by submitting the same on affidavit before the learned court below within a period of three weeks.

Considering the present stand of the parties, in order to save the informant from vagrancy and destitution, with a lurking hope that in future the issue may reconcile between the parties, the provisional bail granted to the petitioner, vide order dated 23.04.2019 is hereby confirmed.

The above mentioned payment will be subject to any order being passed in matrimonial, maintenance and other co-lateral proceeding.

If the petitioner defaults for three consecutive occasions in making payment or fails to appear regularly in Matrimonial Case No. 295 of 2018, the informant will be at liberty to file an application for cancellation of bail of the petitioner.

The present order, in no way will preclude the parties to reconcile the issue otherwise.

(Dinesh Kumar Singh, J)

Amrendra/-

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