

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35153 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- SIDHWALIYA District- Gopalganj

RAJAN SHARMA Son of Mahendra Sharma Resident of Village - Sher, P.S.-
Sidhwalia, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 28.03.2019 in a case registered for the offences punishable under Sections 341, 323, 307, 498A, 504, 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant was married with the petitioner four years prior to lodging the present case, but subsequently, further dowry demand of Rupees One Lac cash, one motorcycle, furniture etc., was made and due to non-fulfillment of the same, torture was inflicted upon the informant. It is alleged against the mother of the petitioner that she threw hot oil on the body of the informant.



It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of a female child. It is further submitted that the specific accusation of causing injury to the informant is against the mother of the petitioner and the petitioner is ready to settle the dispute. It is further submitted that apart from the present case, the petitioner is accused in three other cases.

Learned counsel for the informant submits that due to past conduct of the petitioner, she is not ready to resume the conjugal life, though she is ready to settle the dispute.

It is submitted by learned APP for the State that the petitioner has serious criminal antecedent.

Learned counsel for the petitioner further submits that in alternative the petitioner is ready to make payment of Rs.2,000/- per month to the informant from July, 2019 by depositing the same in the bank account of the informant by second week of every succeeding month.

The counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner and undertakes to submit bank account detail on affidavit before the learned court below within a period of two weeks.

Considering the nature the present stand of the



parties, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Gopalganj in connection with Sidhwalia P.S. Case No. 21 of 2019.

The aforesaid payment will be subject to any order being passed in matrimonial or maintenance 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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