

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67032 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- RUPASPUR District- Patna

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Krishna Kumar S/o Binod Prashad R/o Vill-Masaurhi Kali Mandir, Tarengna Tola, Ankit Singh Store P.S. Masurhi, Distt.-Patna, At present House of Rajesh Singh R/104 Ward No.9, Kumar Para, P.S. Khargpur, Distt.-Midnapur West Bengal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Mohan Tripathi

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-04-2019 This application, for grant of anticipatory bail, arises out of Rupaspur P.S. Case No. 222 of 2018, disclosing offences under Sections 341, 323, 504, 506, 315 and 498A of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant and allegation against him is of cruelty and torture with respect to demand of dowry and he has also ousted her.

Earlier the matter was referred to Patna High Court Mediation and Conciliation Centre, Patna for amicable settlement of dispute between the parties. However, from perusal of Mediator's report, it appears that both the parties are adamant on their stand and due to which, the dispute could not be resolved between them.



Submission of learned counsel for the petitioner is that he is not willing to live with the informant as she is in habit of filing such cases, however, he is ready for one time settlement.

Heard learned A.P.P. also as well as learned counsel for the informant. Learned counsel for the informant has submitted that she is still ready to live with the petitioner if kept with full honour and dignity, however, learned counsel for the informant also conceded that informant has filed a maintenance case being Maintenance Case No. 183/2019 in the Family Court, Patna and in the said maintenance case also, the petitioner is not appearing.

Having heard both sides, considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -II, Danapur, Patna, in connection with Rupaspur P.S. Case No. 222 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



It is further subject to the condition that the petitioner will appear and participate in disposal of the maintenance case and he will abide by any order interim or final passed by the Family Court, Patna in the aforesaid maintenance case, otherwise, the informant will be at liberty to move for cancellation of bail bonds of the petitioner in the concerned court below.

(Vinod Kumar Sinha, J)

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