

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53916 of 2018

Arising Out of PS. Case No.-196 Year-2017 Thana- PATLIPUTRA District- Patna

Sanjiv @ Nitesh Kumar, S/o- Ram Suhawan Singh, Resident of Harnaut
Middle Market, P.S.- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Sri Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-01-2019 Heard learned counsels 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 354(D), 504 and 506 of the IPC.

The prosecution case, as per the written report of Priyanka Patel, dated 21.06.2017, submitted to the Station House Officer, Patliputra Police Station, is to the effect that the marriage between the petitioner and informant was performed on 18.04.2016, but subsequent to the marriage, further dowry demand of Rs. 10 lacs was made and for non-fulfillment of the same, the informant was assaulted. It is also alleged against the petitioner that he used to take obscene photographs of the



informant and circulated the same on social media, namely, whatsapp to the relatives of the informant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph no.9 of the petition which reads as follows:-

“That the petitioner is always want to keep his wife with full dignity and honour.”

It appears that vide order dated 26.11.2018, the matter was referred to the Patna High Court Mediation Centre, but due to adamant attitude of the informant, the mediation could not succeed.

Learned counsel for the informant submits that the informant is reluctant to resume the conjugal life since she has miserably been tortured.

Learned counsel for the petitioner further submits that in alternative, the petitioner is ready to make payment of Rs. 3,000/- per month to the informant from February, 2019 by depositing the same in her bank account by tenth days of every succeeding month.

Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner.



She also undertakes to supply 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, to save the informant from destitution and vagrancy with a lurking hope that the issue may reconcile in future, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Judge-XII-cum-ACJM, Patna in connection with Pataliputra P.S. Case No. 196 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The aforesaid payment will be subject to the result of matrimonial, maintenance or any other related case.

Three consecutive defaults in making payment by the petitioner will give liberty to the informant to file an application for cancellation of bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

Amrendra/-

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