

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5208 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- MAHILA P.S. District- Patna

Amit Kumar, son of Sri Gunnu Prasad Singh, resident of Mohalla- Gur ki
Mandi, Arafabad Colony, P.S.- Alamganj, Dist. Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-06-2019 Petitioner seeks bail in anticipation of his arrest in connection with Mahila P.S. Case No. 108 of 2018 registered for the offences punishable under Sections 498A, 420, 341, 323, 379, 34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is that he along with others entered inside the house of the informant in drunken condition and assaulted her and her parents and committed theft of Rs.20,000/-.

From perusal of the record it appears that the matter was referred to the Patna High Court Mediation and Conciliation Centre on appearance of the informant and the report of the Mediator is available at Flag 'A', which clearly disclosed that the dispute between the parties could not be



settled in spite of best efforts.

Submission of learned counsel for the petitioner is that he is still ready to keep her but she is not ready to reside with him and earlier also a case had been lodged against the petitioner and in that case compromise was reached between the parties and thereafter the informant fled away and at present also she left her sasural and she is not ready to come back.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail and submitted that though the informant is ready to reside with the petitioner but she was subjected to torture and assault and it is wrong to say that informant is not ready to reside with the petitioner and she has also not been provided the basic expenses.

In view of above facts and circumstances, this application is disposed of with a direction to the petitioner to appear before the court below by 4.7.2019 and on appearance he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Smt. Priya Shekhar, Judicial Magistrate, 1st Class, Patna, in connection with Mahila P.S. Case No. 108 of 2018, subject to the conditions as laid down under



Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that petitioner has to pay Rs.15,000/- per month to the informant as maintenance for the period of one year and during that period it is expected that the informant will move before the Family court for maintenance and petitioner will abide by the order, either interim or final passed by the Family Court.

(Vinod Kumar Sinha, J)

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