

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62719 of 2018**

Arising Out of PS. Case No.-2016 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Manish Kumar Pandey @ Bulbul

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Sir Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

6 11-04-2019 Heard learned counsels for the petitioner,

complainant and APP for the State.

The petitioner being the husband of the complainant, is apprehending arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the IPC and Sections 3 and 4 of the Dowry Prohibition Act.

The prosecution case as per the complaint petition is that the complainant was married with the petitioner Manish Kumar Pandey on 25.6.2014 but subsequently, further dowry demand of gold chain, LCD colour television and other articles were made and due to non-fulfillment of



the same, torture was inflicted upon the complainant. It is further alleged that on 13.12.2015, the complainant was driven out from the matrimonial house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant having no issue and is ready to keep the complainant as wife with full dignity and honour and the statement to that effect being made in paragraph 7 of the petition, which reads as follows:-

“That the petitioner is the husband and is ready to keep her wife with full honour and dignity.”

The complainant is present in Court.

It is submitted by learned counsel for the complainant that the complainant is not ready to accept the offer of the petitioner as she is apprehensive due to past conduct of the petitioner. However, the complainant wishes to get the issue resolved on payment of one time settlement amount.

Learned counsel for the petitioner further submits that in alternative the petitioner will make payment of Rs.2000/- per month to the complainant from May, 2019 by depositing the same in her bank account by second week of every succeeding month.



The learned counsel for the complainant, on instructions, submits that the complainant accepts the offer and is ready to submit her bank account number within a period of three weeks from today by filing the same on affidavit before the learned court below.

Considering the present stand of the parties, in order to save the complainant for the present from destitution and vagrancy with a lurking hope that the issue may reconcile in future, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, West, Muzaffarpur in connection with Complaint Case No. 2016 of 2015 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or collateral proceedings.

Three consecutive defaults in making payment will give liberty to the complainant to file application for cancellation of bail of the petitioner.

The present order, in no way, will preclude the



parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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