

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73947 of 2018

Arising Out of PS. Case No.-591 Year-2018 Thana- KOTWALI District- Patna

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Sanjeev Kumar Verma @ Karu, Son of Sheo Balak Sao, Resident of Village-
Bhagwanbigha, P.S. Rahui, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-01-2019 Heard learned counsels for the petitioner, informant
and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 342, 323 and 498A of the Indian Penal Code and Section 3/4 of D.P. Act.

The prosecution case as per the written report of Anita Devi submitted to the S.H.O., Patna Kotwali is to the effect that the marriage between the informant and the petitioner was performed on 25.11.2015, but subsequently demand of further dowry was made and due to non-fulfillment of the same torture



was inflicted upon the informant. It is further alleged that the informant was also assaulted by the in-laws family. Ultimately, the informant was driven out from her matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant, having no issue out of the wedlock. The petitioner has filed Matrimonial Suit No. 201 of 2018, before the learned Principle Judge, Family Court, Nalanda for dissolution of marriage, wherein notices were issued to the informant vide order dated 19.06.2018 and 20.06.2018. Thereafter, the present FIR has been lodged on 06.09.2018. Hence, there is no chance to reconcile the issue.

Learned counsel for the informant submits that the informant is still ready to resume the conjugal life. In fact, the informant has been deserted by the petitioner himself for no reason.

However, it is further submitted by the learned counsel for the petitioner that the petitioner is ready to make payment of Rs.3000/- per month to the informant from February, 2019, by depositing the same in the bank account of the informant by the second week of every succeeding month.

The learned 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 number on affidavit before the learned Court below within a period of three weeks.

Considering the present stand of the parties and to save the informant from vagrancy and destitution, 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 the like amount each to the satisfaction of learned **C.J.M., Patna**, in connection with **Kotwali P.S. Case No. 591 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

The above payment will be subject to any order being passed in matrimonial, maintenance and 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 the bail bonds of the petitioner.

The present order will not preclude the parties to



reconcile the issues otherwise.

(Dinesh Kumar Singh, J)

Deepak/Ajeet/-

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