

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7487 of 2015

Arising Out of PS.Case No. -1674 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Rajnish Ranjan @ Anupam son of late Dinesh Pandey resident of Mohalla - Maripur, P.S. - Kazi Mohammadpur, District - Muzaffarpur - 842001 presently residing at House No. 523, IInd Floor, Sector -IV, Vaishali, Gaziabad (Uttar Pradesh - 201010).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Usha Pandey wife of Rajnish Ranjan @ Anupam daughter of Rameshwar Upadhyay presently residing at Village - Majhauria, P.S. - Majhauria, District - West Champaran.
3. Rameshwar Upadhyay son of Late Rama Kant Upadhyay resident of Village - Majhauria, P.S. - Majhauria, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi
For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 11-08-2015 Petitioner being husband of the daughter of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On the joint prayer of the parties, vide order dated 26.02.2015 the matter was referred to the Mediation Centre of the State Legal Services Authority. The report of the Mediator at Flag-X dated 15.07.2015 reflects that in spite of several efforts the dispute could not be resolved through the process of mediation. Though the complainant is still ready to

resume the conjugal life but somehow or other the petitioner is not agreeing to the offer of the complainant as he feels that his entire family was tortured with frivolous case lodged by the complainant. In the circumstance the reconciliation between the parties does not appear to be feasible at present.

In the alternative, petitioner is ready to make payment of Rs. 4000/- to the O.P. No. 2 from September, 2015, by depositing the same in the bank account of the O.P. No. 2 by second week of every month. The aforesaid offer is acceptable to the O.P. No. 2 who undertakes to supply the bank account number within a period of two weeks by filing the same on affidavit before learned Court below.

Considering the stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Trial No. 1923 of 2014, arising out of Complaint Case No. 1674(C) of 2013.

The aforesaid payments will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment will give liberty to the O.P. No. 2 to file appropriate

application for cancellation of bail of the petitioner.

The present order in no way will preclude
the parties to resolve the issue otherwise.

Shageer/-

(Dinesh Kumar Singh, J)

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