

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9223 of 2015

Arising Out of PS.Case No. -2626 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Amar Kumar @ Pappu @ Amarnath Kumar @ Pappu son of Radhe Shyam Prasad, resident of Mohalla- Bataganj, Remjeechak, P.S.- Digha, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Kumari Mauni @ Moni Kumari @ Moni Devi, daughter of Late Dhaneshwar Prasad, resident of mohalla- Gola Road, P.S.- Danapur, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Rina Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

06/ 20-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein processes have been 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.

The marriage between the petitioner and complainant is admitted.

It is submitted by learned counsel for the

petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. But the offer of the petitioner is not acceptable to the complainant who is present in the Court.

Now both have decided to part ways on payment of permanent alimony of Rs.2,75,000/- within a period of three months. A joint application has been filed to that effect before this Court. It is also agreed between the petitioner and the complainant that they will file an application under Section 13B of the Hindu Marriage Act before the Principal Judge, Family Court, Patna for dissolution of their marriage within a period of four weeks. It is also agreed that the complainant will file an appropriate application for bringing on record the present stand of the parties before the learned court below when it is expected from the learned court below to pass appropriate order in the matter in accordance with law.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate, Ist Class, Patna in connection with Complaint
Case No. 2626C of 2013, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J.)

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