

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47807 of 2014**

Arising Out of PS.Case No. -26 Year- 2014 Thana -MAHILA PS District- JEHANABAD

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Rajeev Ranjan Kumar Son of Shri Birendra Prasad Singh Resident of  
Mirzapur, P.S.- Nawada, District- Nawada

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Agrawal

For the Opposite Party/s : Mr. Binod Kumar (App)

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

05/ 14-07-2015

Heard learned counsels for the petitioner and  
the State.

The petitioner being the husband of the  
informant is apprehending his arrest in a case registered for the  
offences punishable under Sections 498A/34 the Indian Penal  
Code.

The basic accusation is of torture.

The marriage between the petitioner and the  
informant having no issue is admitted fact. The petitioner and the  
informant are present.

It is submitted by learned counsel for the  
petitioner that the marriage has never been consummated as the  
informant is suffering from gynaecological problems. The

petitioner filed Matrimonial Suit No. 89 of 2014 on 23.04.2014 for divorce and thereafter on 13.05.2014 the present FIR was lodged.

It is submitted by learned counsel for the informant that the accusation levelled by the petitioner is absolutely false and the informant is still ready to resume the conjugal life.

Considering the inconsistent stand taken by both the parties and the matrimonial suit filed at earlier point of time, the reconciliation does not appear to be feasible at this juncture. However, the petitioner is ready to pay Rs.4,000/- per month from August, 2015 to the informant by depositing the same in her account by second week of every succeeding month.

The offer is acceptable to the informant, who undertakes to supply the bank account number by submitting the same on affidavit before the learned court below within a period of two weeks.

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 Chief Judicial

Magistrate, Jehanabad in connection with Jehanabad Mahila P.S.  
Case No. 26 of 2014, subject to the conditions as laid down under  
Section 438(2) of the Cr.P.C.

The abovementioned payment will be subject  
to any order being passed in matrimonial, maintenance or other  
related proceedings.

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

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

**(Dinesh Kumar Singh, J)**

DKS/-

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