

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43920 of 2014

Arising Out of PS.Case No. -1147 Year- 2012 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Binod Giri Son of Late Devi Giri Resident of Village-Sawri Giri Tola, P.S.-
Jalalpur, District-Chapra (Saran).

.... Petitioner/s

Versus

1. The State of Bihar
2. Suman Devi Wife of Binod Giri R/o Village-Sawri Giri Tola, P.S.-
Jalalpur, District-Chapra, at present Village-Papaur Mathia, P.S.-
Pachrukhi, District-Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Alok Kumar Sinha

For the Opposite Party/s : Mr. Anita Kumari Singh (App)

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

ORAL ORDER

04/ 13-04-2015

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 process has been directed to be issued after cognizance
being taken for the offences punishable under Section 498A the
Indian Penal Code.

The accusation is of torture.

The complainant was noticed vide order
dated 15.12.2014 on submission of learned counsel for the
petitioner that the petitioner is ready to keep the complainant as

wife with full dignity and honour. Statement to that effect has been made in para 11 of the petition, which reads as follows:-
“That the petitioner is ready to keep his wife with due dignity and respect.”

The petitioner and the complainant are present.

The complainant is not ready to accept the offer of the petitioner since is apprehensive due to the past conduct of the petitioner.

In the alternative, the petitioner is ready to pay Rs.2,000/- per month from May, 2015 to the informant by depositing the same in her account by second week of every succeeding month.

The offer is acceptable to the complainant, 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, Siwan in connection with Complaint Case No. 1147 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

Three consecutive defaults in making payment will give liberty to the complainant 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)

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