

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13520 of 2015

Arising Out of PS.Case No. -25802 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

Rajeev Tripathi son of Sri Prem Narayan Tripathi, Resident of Mohalla-
Charkhambha Gali, P.S.- Town Thana, Ara, District- Bhojpur at Ara (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. Rachna Kumari @ Rachna Tripathi, Wife of Sri Rajeev Tripathi, & D/o
Sri Ram Dubey, resident of Mohalla- Bhikhna Pahari, Pakka Bari, P.S.-
Pirbahore, District- Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Chandra Shekhar Azad

For the Opposite Party/s : Mr. Aditya Narayan Singh-I(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

11/ 30-11-2015

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
Sections 498A, 406, 494 and 323 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

Counsel for the petitioner submits that the petitioner has not performed second marriage and he is ready to keep the complainant as wife with full dignity and honour or in the alternative he is ready to make payment of permanent alimony of rupees seven lakhs.

Counsel for the complainant submits that in view of the kind of torture inflicted and the past conduct of the petitioner the reconciliation is not feasible. The complainant was ready to part ways on payment of permanent alimony. At one point of time the petitioner was ready to make payment of considerable amount as permanent alimony but it appears that now the petitioner has decreased the quantum of permanent alimony.

In the circumstances, the resolution of the issue does not appear to be feasible.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 25802(C) of 2014 pending in the court of learned Judicial

Magistrate, Ist Class, Patna.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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