

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46871 of 2014

Arising Out of PS.Case No. -798 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sanjit Kumar Singh @ Sanjit Singh son of Sri Shankar Dayal Singh
resident of village - English Pur, Police Station Krishna Garh, District -
Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Sanju Devi wife of Sanjit Kumar Singh @ Sanjit Singh , daughter
of Sri Ramesh Singh resident of village AND P.O. Bishunpura, Police
Station Bihta, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-09-2015

Petitioner being husband 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 under Sections 498A, 323 of the Indian
Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that petitioner admits his marriage with the
complainant and birth of one son out of the wedlock which is
being maintained by the petitioner at his brother's place. It is
further submitted that chances of reconciliation between the
parties is not feasible due to the differences cropped up
between the parties.

Learned counsel for the complainant
submits that complainant is ready to resume the conjugal life.

In the alternative, petitioner is ready to make payment Rs. 2200/- to the complainant from October, 2015, by depositing the same in the bank account of the complainant by second week of every month. The offer is acceptable to the complainant who undertakes to supply her bank account number within a period of three weeks by submitting the same on affidavit before learned Court below.

Considering the present 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, Danapur in connection with Complaint Case No. 798(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 complainant 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.

(Dinesh Kumar Singh, J)

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