

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44367 of 2014

Arising Out of PS.Case No. -123 Year- 2014 Thana -BATHNAHA District- SITAMARHI

Ram Vinay Sah, son of Sakaldeo Sah, resident of Village-Dumariya, P.S.-
Bathnaha, District-Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Urwashi Devi, wife of Ram Binay Sah, resident of Village-Dumariya, P.S.-Bathnaha, District-Sitamarhi.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Anil Kr. Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 26-07-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 498A, 504, 506/34 of the Indian Penal Code.

The basic accusation is of torture and making assault.

Initially it was submitted by learned counsel for the petitioner that petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition and considering the same the notices were issued to the informant/O.P. No. 2 vide order dated 16.12.2014 but somehow or other the issue could not be resolved, as a result, on the joint prayer of the parties,



the matter was referred to the Mediation & Conciliation Centre of the State Legal Services Authority vide order dated 11.05.2016. The report of the Mediator at Flag-B reflects that the issue has been resolved between the parties as both sides have decided to part ways. The petitioner agreed to make payment of permanent alimony of Rs. 75,000/- to the informant/O.P. No. 2 and has already handed over Rs. 25,000/- to the informant/O.P. No. 2. The petitioner agreed to make payment of rest of Rs. 25,000/- to the informant/O.P. No. 2 at the time of recording of statement in the matrimonial suit of both the parties and last installment of Rs. 25,000/- of permanent alimony of Rs. 75,000/- will be paid to the informant/O.P. No. 2 on the date of passing decree in the matrimonial suit.

The contention of the counsel for the petitioner has not been controverted by the counsel appearing on behalf of the informant. It is further submitted that informant is not opposing the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 123 of

2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the report of the Mediator including the terms of the agreement be transmitted to the learned Court below along with the order of this Court.

(Dinesh Kumar Singh, J)

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