

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42575 of 2016

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Ravindra Paswan @ Ravindra Pawwan, Son of Late Indradeo Paswan,
Resident of Village- Dhamar, P.S.- Rajgrih, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ruby Devi, W/o Ravindra Paswan, Resident of Village- Dhamar, P.S.-
Rajgrih, District- Nalanda, D/o- Late Suresh Paswan, Resident of
Village- Nanaura, P.S.+ District- Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Sri Nityanand

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

02/ 27-09-2016

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 of
the Indian Penal Code.

The basic accusation is of torture.

Learned counsel for the petitioner submits
that the petitioner admits his marriage with the complainant and
is ready to keep the complainant as wife with full dignity and
honour. Statement to that effect has been made in paragraph 16

of the petition, which reads as follows:-

“That the petitioner is still ready to keep his wife with full dignity and honour.”

It is further submitted that the similar was the stand of the petitioner before the learned court below. The matter was sent by the learned Sessions Judge for mediation but during hearing of anticipatory bail petition the complainant declined to accept the offer of the petitioner claiming that petitioner has performed second marriage, though, the complainant is not ready to live with the petitioner. The accusation of second marriage has not been levelled in the complaint petition and this fact has come during mediation.

Learned counsel for the complainant submits that the petitioner has definite information that the petitioner has performed second marriage but now the complainant is ready to accept the offer of the petitioner.

It is not disputed by learned counsel for the petitioner that still only summons have been issued in a complaint case.

Let the learned court below consider the prayer for 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. 1075 of 2015 pending in the court of learned Judicial Magistrate, Ist Class, Nawada. It is expected from the learned court below to dispose of the bail application of the petitioner preferably on the same day keeping in view of the present stand of the parties.

It will be open for the learned court below to get the issue mediated and in the meanwhile, interim order will be passed by the learned court below.

Accordingly, this application is disposed of with the above direction/observation.

(Dinesh Kumar Singh, J)

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