

Arising Out of PS.Case No. -1213 Year- 2014 Thana -BUXAR COMPLAINT CASE- District-  
BUXAR

.... .... Petitioner/s

1. State of Bihar
2. Usha Devi

.... .... Opposite Party/s

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh  
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

“That the petitioner is ready to keep him but

opposite party did not want to live with petitioner.”

It is further submitted that similar was the stand of the petitioner before the learned court below but the complainant refused to accept the offer which gets reflected from the impugned order. More over the complainant filed Matrimonial Suit No. 72 of 2014 on 16.4.2014 with a prayer for divorce on the ground that the petitioner has illicit relationship with his aunt and thereafter the present complaint was filed on 29.8.2014.

In the alternative, learned counsel for the petitioner submits that the petitioner is ready to make payment of Rs.1500/- per month from December, 2016 by depositing the same in the bank account of the informant by second week of every month though statement to that effect has not been made in the petition.

Considering the filing of matrimonial suit by the complainant at earlier point of time and the fact that the impugned order reflects that the complainant is not ready to resume the conjugal life with the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing

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bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Buxar in connection with Complaint Case No. 1213 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Learned counsel for the petitioner will serve a copy of this order upon the complainant as well as her lawyer appearing before the learned court below when it is expected from the complainant to provide her bank account number to the petitioner within three weeks by submitting the same on affidavit before the learned court below. If the complainant fails to provide her bank account number within the aforementioned time, the aforesaid amount will be deposited before the learned court below which will be invested in some fixed deposit scheme which will be subject to the result of the case.

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

Three consecutive defaults in making payment in case payment is made to the complainant, will give liberty to the complainant to file an application for



cancellation of bail bonds of the petitioner.

The present order will, in no way, preclude the parties to resolve the issue otherwise.

**(Dinesh Kumar Singh, J)**

Anil/-

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