

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21176 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Raj Kumar Ranjan Son of Brajbihari Yadav Resident of Village -Uda Kishunganj, college Chwak, Police station Uda-Kishunganj, District Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Swati Kumari W/o Raj kumar Ranjan,D/o Chandra Shekhar Yadav Resident of Village- Maheshua, Uda- Kishunganj, District Madhepura.At Present Address- Swati Kumari , D/o Chandra shekhar Yadv, R/o Village-Fulaut Chawk, Rambagh, Uda-kishungaj,PS Uda-kishunganj district Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 23-08-2016 The petitioner being 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 Section 498A 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 is ready to keep the complainant and children with dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

“That as alleged in the

complaint petition the petitioner is happens to be the husband of the complainant and the petitioner is ready to keep her wife(complainant) with full dignity and honour”

It is further submitted that complainant has accepted the offer of the petitioner and a compromise petition has been filed before learned Court below. A certified copy of the same has been produced, let it be kept on record.

The petitioner and the complainant are present in the Court.

It is submitted by learned counsel for the complainant that complainant is not denying the factum of compromise but it is claimed that petitioner has filed Udakishunganj P.S. Case No. 55 of 2015 against the relations of the complainant and no compromise petition has been filed in the aforesaid case.

It is submitted by learned counsel for the petitioner that petitioner will file appropriate compromise/withdrawal application in the said complaint case within a period of two weeks from today.

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 Judicial Magistrate,

1st Class, Uda-Kishunganj, Madhepura in connection with Complaint Case No. 196 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In view of the present stand of the parties, it is expected from learned Courts below where Udakishunganj P.S. Case No. 55 of 2015 and the present complaint being Complaint Case No. 196 of 2015 are pending to dispose of the same in accordance with law.

Either side will have liberty to file appropriate application in case of breach of terms of the agreement.

(Dinesh Kumar Singh, J)

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