

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24535 of 2016

Arising Out of PS.Case No. -979 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

=====

Pradeep Kumar Singh, Son of Binod Bihari Singh, resident of Village-
Bharthauli, P.S.- Aurangabad (Muffasil), District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanju Devi, wife of Pradeep Kumar Singh, resident of Village-
Bharthauli, P.S.- Aurangabad (Muffasil), District- Aurangabad.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

04/ 18-08-2016

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 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.

The petitioner and the complainant are present
in the Court.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the

complainant and birth of a female child but since the petitioner has filed Matrimonial Suit No. 130 of 2014 with a prayer for divorce prior to lodging of the complaint, the petitioner is not ready to keep the complainant at present. However, the petitioner is ready to make payment of Rs.3,000/- per month from September, 2016 to the complainant by depositing the same in her account by second week of every succeeding month.

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner and undertakes to submit the bank account number on affidavit before the learned court below within a period of two weeks from today and hence, at present she is not opposing the prayer for anticipatory bail.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Aurangabad in connection with Complaint Case No. 979 of 2014, subject to the conditions as

laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the complainant to file 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.)

DKS/

U		T	
---	--	---	--