

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1974 of 2016

Arising Out of PS.Case No. -2611 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Rajdeo Mishra son of Indradeo Mishra, Resident of Village- Nariyar,
P.S. & Dist- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nutan Devi, wife of Rajdeo Mishra, D/o Sri Arbind Agnihotri, Resident
of Village- Sagun, P.S.- Ishipur, Barahat, Dist- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kulanand Jha
For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 01-08-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences under Sections 323, 341, 498A, 504, 506/34 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 birth of a female child.

It appears that though the matter has been referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority vide order dated 29.02.2016 but it appears that the issue could not be resolved.

In the alternative, petitioner is ready to make

payment Rs. 4000/- to the complainant from September, 2016, by depositing the same in the bank account of the complainant by second week of every month. Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner and undertakes to supply her bank account number by submitting the same on affidavit before learned Court below within a period of three weeks.

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, Bhagalpur in connection with Complaint Case No. 2611 of 2014.

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

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

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