

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35557 of 2015

Arising Out of PS.Case No. -1220 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Vikrant Ranjan, S/o Sri Ramnath Prasad resident of village – Biagampur
Bhari, P.S. Byepass, District – Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Dip Yoti @ Babli W/o Sri Vikrant Ranjan D/o Sri Raj Kishore
Patwan, Resident of village Naya Bazar, P.S. Bettiah, District – West
Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur

For the Opposite Party/s : Mr. Akbar Ali(App)

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

04/ 22-02-2016

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
Sections 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

On the joint prayer for the parties the matter was
referred to the Mediation Centre of the Bihar State Leal
Services Authority vide order dated 08.12.2015. The report of

the Mediator at Flag 'A' dated 01.02.2016 reflects that the issue could not be settled through the process of mediation.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of a child. The petitioner filed Matrimonial Suit No. 100 of 2013 with a prayer for divorce on 04.02.2013 and thereafter the present complainant was filed on 01.07.2014. The petitioner is ready to make payment of Rs.2,500/- per month from March, 2016 to the complainant by depositing the same in her account by second week of every 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 on affidavit before the learned court below within a period of two weeks.

Considering the filing of the matrimonial suit at earlier point of time by the petitioner and the 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 Sub-divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 1220-C 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.)

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