

Arising Out of PS.Case No. -265 Year- 2015 Thana -PATNA COMPLAINT CASE- District-
PATNA

.... Petitioner/s

1. The State of Bihar
2. Sania Mumtaz w/o Mohd Abid Jafri and d/o late Mumtaz Ahmed, residing at Mohalla Sultanganj, P.S.- Sultanganj District- Patna.

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar
For the Opposite Party/s : Mr. Smt. Asha Kumari

4 21-12-2016 Heard learned counsels for the petitioner,
complainant and the State.

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 petitioner admits his marriage with the complainant having no issue and is ready to keep the complainant with full dignity and honour. A statement to that



effect has been made in para 8 of the petition which reads as follows:-

“That the petitioner has all the love and respect for his wife and he is ready and willing to keep his wife with full honour and dignity.”

It is further submitted that complainant has filed Domestic Violence Case No. 12 of 2015 and in the said case the petitioner has already entered appearance.

It is submitted by learned counsel for the complainant that complainant is not ready to accept the offer of the petitioner of resuming the conjugal life since petitioner forced her for the unnatural offence.

It is submitted by learned counsel for the petitioner that in the alternative, petitioner is ready to make payment of Rs. 5000/- per month to the complainant from February, 2017, by depositing the same in the bank account of the complainant by second week of every succeeding month.

It is submitted by learned counsel for the complainant that 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, in order to save the complainant from destitution and vagrancy with a lurking hope that the issue may be reconciled in future,



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 Sub-Divisional Judicial Magistrate, Patna City, Patna in connection with Complaint Case No. 265 of 2015.

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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