

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56144 of 2015

Arising Out of PS.Case No. -1244 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

=====

1. Taslim Hawari son of Hussain Hawari, resident of village Mahanawa,
Police Station Majhaulia, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kuraish Khatoon wife of Taslim Hawari, D/o Rajak Hawari, resident of
village Barawa, Police Station Majhaulia District East Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lalan Kumar Verma

For the Opposite Party/s : Mr. Satyavarta Verma (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 15-02-2016 Petitioner being husband of the complainant
apprehending his arrest in a complaint case wherein processes
were directed to be issued after cognizance being taken for the
offences under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On the joint prayer of the parties, the matter
was referred to the Mediation & Conciliation Centre of the State
Legal Services Authority vide order dated 10.12.2015. The
report of the Mediator at Flag-A dated 12.02.2016 reflects that
mediation could not be done due to the non-appearance of the
complainant/O.P. No. 2.

The complainant and the petitioner are
present.

It is submitted by learned counsel for the

petitioner that petitioner admits his marriage with the complainant and birth of two children and is ready to keep the complainant with full dignity and honour.

Learned counsel for the complainant submits that complainant is apprehensive due to the past conduct of the petitioner.

In the alternative, petitioner is ready to make payment Rs. 2000/- to the complainant from March, 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 complainant is ready to accept the offer of the petitioner and undertakes that complainant will supply her bank account number within a period of three weeks by submitting the same on affidavit before learned Court below.

Considering the present stand of the petitioner, 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, Bettiah, West Champaran in connection with Complaint Case No. 1244C of 2012.

The aforesaid payments 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.

Shageer/-

(Dinesh Kumar Singh, J)

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