

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21739 of 2016

Arising Out of PS.Case No. -811 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Ravindra Kumar @ Raj Kumar S/o Ramchandra Sharma Resident of
Village Meena Bazar, Juniar PS Hilsa, Distrc Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Akansha Kumari@Sima D/o shri Rajendra Sharma R/o Mohalla New
Colony, Harnaha tola, PS Khajekala, District Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sarvesh Kumar Singh

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 08-11-2016 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 Section 498A 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 having no issue. In pursuance to the order passed by learned Court below the petitioner was going to in-laws house when he was attacked by unknown persons at the behest of the complainant's side. Hence, petitioner is apprehensive due to the past conduct of the family members of the complainant and is not ready to keep the complainant.

On the joint prayer of the parties, the matter was referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority vide order dated 05.09.2016. The report of the Mediator at Flag-M dated 25.10.2016 reflects that the issue could not be resolved through the process of mediation.

The petitioner and the complainant are present in the Court.

It is submitted by learned counsel for the complainant that complainant is ready to resume the conjugal life.

It is further submitted by learned counsel for the petitioner that petitioner is ready to make payment of Rs. 3000/- per month to the complainant from December, 2016, 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 vagrancy and destitution with a lucking 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 in connection with Complaint Case No. 811 of 2014.

The above mentioned 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)

Shageer/-

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