

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67822 of 2018

Arising Out of PS. Case No.-20 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Satpal Kumar @ Satyapal Kumar Son of Krishna Kumar Resident of Village-
Jamaluddin Chak,behind of Loco Colony,P.O.+P.S. Khagaul,Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 14-12-2018 Heard learned counsels for the petitioner, complainant
and APP for the State.

The petitioner being the husband of the complainant,
is apprehending arrest in a complaint case, wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Section 498A of the IPC.

The basic accusation is that the complainant was
married with the petitioner in December, 2005. Subsequently,
the complainant gave birth to a female child whereafter torture
was inflicted upon her by the accused persons.

It is submitted by learned counsel for the petitioner
that the petitioner admits his marriage and birth of child. It is
further submitted that Matrimonial Suit No. 5085 of 2014 was



filed by the petitioner before the learned Principal Judge, Family Court, Patna and thereafter, on receiving notice the present complaint has been filed which fact has been admitted by the learned counsel for the complainant. Hence, the petitioner is not ready to keep the complainant. Moreover, the complainant has also filed maintenance case.

It is submitted by learned counsel for the complainant that she is ready to resume the conjugal life and she along with her child is suffering destitution and vagrancy due to desertion by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is ready to make payment of Rs.4000/ per month to the complainant from January, 2019 by depositing the same in her bank account by second week of every succeeding month.

The learned counsel for the complainant, on instructions, submits that the complainant accepts the offer and is ready to submit her bank account number within a period of three weeks from today by filing the same on affidavit before the learned court below.

Considering the present stand of the parties and the fact that the present complaint has been filed after 11 years of



marriage, matrimonial suit has been filed at earlier point of time, in order to save the complainant and her child for the present from destitution and vagrancy with a lurking hope that the issue may reconcile in future, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Danapur in connection with Complaint Case No. 20C of 2016 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or collateral 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)

anil/-

U			
---	--	--	--

