

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15064 of 2019**

Arising Out of PS. Case No.-414 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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DILIP KUMAR Son of Motilal Ray Resident of village -Jitwarpur Nizamat,
P.S.-Muffassil, District-Samastipur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kumari Priyanka @ Kumari Priya Wife of Dilip Kumar, Daughter of
Premlal Ray Resident of village -Dadhiya Asaadhar, P.S.- Angarghat,
District-Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.414 of 2017,T.R. No.2853 of 2018 ,
registered for offences punishable under Sections 498(A)/34 of
the Indian Penal Code and Section 34 of the D.P.Act.

Allegation against the petitioner is of assaulting the
complainant and also solemnizing the second marriage. It
further appears that on appearance of the O.P.no.2, the matter
was referred to the Patna High Court Mediation and Re-
conciliation Centre , vide order dated 12.3.2019 as both the
parties have expressed their readiness to explore the possibility
of settlement of the dispute including one time settlement. It
appears from the mediation report at flag 'M' that the



mediation has failed.

Submission of the learned counsel for the petitioner is that due to the fact that one time settlement is exorbitant as she has demanded Rs.05 lac though he is ready to pay Rs.2,50,000/- , mediation failed.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that the petitioner has married with another lady, assaulted her , ousted her and he is also not paying any single penny for her maintenance .

Having heard both sides and in view of the facts and circumstances, as stated above, this application is allowed , provisional bail granted to the petitioner, vide order dated 12.3.2019, is confirmed on the condition that he will pay Rs.3,000/- per month to the Opposite Party No.2 for a period of one year and during that period, it is expected that O.P.no.2 shall file maintenance case and further the petitioner shall abide by any order either interim or final passed by the learned Family court in the maintenance case.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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