

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35467 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- BUDDHACOLONY District- Patna

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PRAVEEN RANJAN PRASAD Son of Late Brijmohan Prasad Resident of Village - Kusum Kunj, Dujra Devi Asthan,. P.S.- Buddha Colony, Dist.- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jaya Verma Wife of Sri Praveen Ranjan Prasad , D/o Sri Suryadev Narayan Verma Resident of Village - Kusum Kunj, Dujri Devi Asthan, P.S.- Budha Colony, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 26-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Buddha Colony P.S. Case No. 38 of 2019 registered for the offences punishable under Sections 341, 323, 498A, 504, 506/34, 379 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

There is allegation of demand and torture against the petitioner.

After appearance of opposite party No.2 the matter was referred to the Mediation Centre and the report of Mediator at Flag 'B' disclosed that mediation failed.

Submission of learned counsel for the petitioner is that after filing of divorce case No. 789 of 2018 by the



petitioner, the present case has been filed and divorce case has been filed as she was not ready to reside with the petitioner and the divorce case is pending. On the other hand, learned counsel for opposite party No.2 has submitted that she is still ready to reside with the petitioner and petitioner is not ready to keep her and fairly submitted that she is not interested in sending him to jail, rather she is interested that some expenses may be given to her, so that she can maintain herself.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to to surrender in the court below and on surrender on the condition that he has to pay Rs.4000/- per month to opposite party No.2 till any order is passed by the Family Court either in maintenance case, if filed by opposite party No.2 or in divorce case filed by the petitioner, he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Judge-16th-cum-Additional Chief Judicial Magistrate, Patna, in connection with Buddha Colony P.S. Case No. 38 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that



one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

In view of the fact that Divorce Case No. 789 of 2018 is pending before the Principal Judge, Family Court, Patna, as such both the parties are directed to appear before the Family Court on the next date fixed, so that learned Principal Judge, Family Court may make an effort for settlement between the parties.

Let a copy of this order be sent to the learned Principal Judge, Family Court, Patna for needful and for compliance of the direction of this Court.

(Vinod Kumar Sinha, J)

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