

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34260 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- CHAUSA District- Madhepura

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RUPESH KUMAR Son of Parmanand Mahaldar Resident of Village - Bashar Majdia, P.s.- Kurshela, Dist.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Rani D/O Narsh Singh Resident of Village Garaiya Tola P.O. Bhatgana P.S. Chausa District Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-08-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Chausa P.S.Case No.195/2018 dated 26.7.2018 registered for offences punishable under Sections 341, 323, 313, 379, 354,398(A), 494, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the D.P.Act..

Prosecution case is that the informant has been assaulted by the accused persons including the petitioner and they have also administered some medicine to get her pregnancy aborted. There is also allegation of demand of Maruti Car, for which assaulting her and he has solemnized second marriage with another lady.

Submission of the learned counsel for the petitioner is



that the fact of second marriage is false and concocted and he is still ready to keep her and for which he has filed an application for restitution of the conjugal right under Section 9 of the Hindu Marriage Act, which has been disposed of in favour of the petitioner, and she has not appeared in that case.

Heard learned A.P.P. and the learned counsel for the informant, who has opposed the prayer for bail on the ground that the material has come during the investigation that he has solemnized second marriage with another lady and she was subjected to cruelty and harassment in spite of demand of Maruti Car. Informant is ready for one time settlement of the case..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender on 28.8.2019 and on that date the informant shall also appear and on that the petitioner shall be released on provisional bail for a period of six months in connection with Chausa P.S. Case No.195 of 2018 and in the meantime, the learned court below shall refer the matter to the Mediation Centre of Katihar, in which both the parties shall participate and considering the mediation report as well as the conduct of both the parties during that period, he will pass order either confirming the bail



bond of the petitioner or he will pass any other order or orders
as he deems fit and proper.

With the aforesaid direction, this application is
disposed of.

(Vinod Kumar Sinha, J)

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