

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35785 of 2019

Arising Out of PS. Case No.-1364 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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UPENDRA RAI S/o Gagandeo Rai Resident of Village- Bishunpura, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Kiran Devi W/o Upendra Rai, D/o Parma Rai Resident of Village- Bansghat,
P.S.- Chakia, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bal Govind Sharma

For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.C-1364 of 2018 registered for offences punishable under Sections 323, 379 and 498A of the Indian Penal Code.

Allegation as per FIR is that the complainant (wife) was subjected to cruelty by the petitioner with respect to demand of Rs.05 lac for purchase of a truck and she was also assaulted and drove out of his house . She has a son also.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and he is still ready to keep her with dignity and care.



Heard learned A.P.P. and the learned counsel for the O.P.no.2, who has submitted that she was subjected to assault but in spite of that she is ready to reside with the petitioner, if in future she is not assaulted and subjected to cruelty. .

Having heard both sides and the stands of the parties, this application is disposed of with direction to the petitioner to surrender on 18.10.2019 and on that day O.P.no.2 shall also remain present in the court below and on filing an affidavit by the petitioner that he is ready to keep her with dignity and care and he will take her from the court itself and in future he will not assault or make any harassment to her, the petitioner shall be released on bail in connection with Complaint Case No.C-1364 of 2018 for a period of six months and during that period, both the parties have to appear before the District Mediation Centre in the second week of each month so that the mediator may watch conduct of both the parties and their matrimonial relationship and after completion of the six months of the period, the mediator will submit a report to the learned court below concerned who on perusal of the report and if satisfied with the conduct of both the parties, will confirm the bail bond of the petitioner, otherwise he is free to pass any other order or orders which may be deemed fit and proper including



cancellation of the bail bond of the petitioner.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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