

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73811 of 2018

Arising Out of PS. Case No.-601 Year-2018 Thana- SHASTRINAGAR District- Patna

Mukul Kumar S/o Ravi Shankar Singh, resident of Village- Sidheshwar Nagar, Nehru Nagar Green Heritage, Flat No. 602, P.S.- Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Md. Arif

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 11-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Shastri Nagar P.S.Case No.601 of 2018 dated 13.9.2018 , registered for offences punishable under Sections 498(A), 323, 307, 504, 506, 34 of the Indian Penal Code and Section 3 & 4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be husband, is of torture and assaulting the informant-wife and later on ousted her. It further appears that she was Engineer in T.C.S. but she left the job due to pressure of the accused persons.

Both the parties have appeared in this case and the matter was sent to the mediation centre for settlement of the



dispute but the report shows that the meditation failed.

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted and no injury report has been produced on the record and the petitioner is ready to settle the dispute but the O.P.no.2 is not agree.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that she was forced to leave the job and now she has no job and she has no any income and not any single penny has been paid to the O.P.no.2, whereas the petitioner has medicine shop.

Having heard both sides and in view of the facts and circumstances and considering the allegation and counter allegation, it appears that the matter is not reconcilable. In such situation, it is better for both the parties to sit together and find out a way for divorce by mutual agreement on terms and conditions as decided between them, however, in the meantime, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna in connection with Sashtri Nagar P.S.Case No.601 of 2018 dated



13.09.2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that the petitioner will pay Rs.20,000/- (Twenty Thousand) per month to O.P.no.2 for a period of one year and during that period, it is expected that both the parties shall reach to some agreement or the O.P.no.2 shall file a case for maintenance and this order will be subject to any other interim or final order passed in the maintenance case and it is also made clear that if the petitioner fails to pay Rs.20,000/- per month for three consecutive months, O.P.no.2 is at liberty to move before the learned court below itself for 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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