

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60602 of 2019**

Arising Out of PS. Case No.-425 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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RANJEET KUMAR Son of Kamlesh Prasad Azad Resident of Village-
Tetrawan, Road No.8, P.S.-Manpur, District-Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Soni Devi Wife of Ranjeet Kumar and Daughter of Ramji Prasad At present
Residing at Sahabajpur, P.S.-Asthama, District-Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Opposite Party/s : Mrs. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 18-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsel for the petitioner and the State.

The petitioner, being the husband of the complainant
has preferred the present application for grant of bail in a
complaint case wherein process has been directed to be issued
after cognizance being taken for the offences punishable under
Sections 498A of the IPC and Sections 3/4 of the Dowry
Prohibition Act.

It appears that a Co-ordinate bench of this Court, vide



order dated 11.12.2019, granted provisional bail to the petitioner with a direction to the petitioner and the complainant to appear before the Mediation and Conciliation Centre, Patna High Court, Legal Services Committee for reconciling the issue.

Learned counsel for the petitioner submits that though the report of the Mediation Centre is not on record, but the issue could not be resolved between the parties, as it failed on the question of payment of one time settlement amount.

The prosecution case, as per the complaint petition, is to the effect that the complainant was married with the petitioner on 28.06.2017, but subsequent to the marriage, further dowry demand of a motorcycle was made and due to non-fulfillment of the same, torture was inflicted on the complainant and she was administered poison by all the accused persons including the petitioner.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of a child, but he is not ready to resume the conjugal life as the petitioner has filed Matrimonial Suit No. 438 of 2018 which is pending before the learned Principal Judge, Family Court, Nalanda, Bihar Sharif with a prayer for divorce. However, the petitioner is ready to pay Rs. 2,100/- per month to the



complainant from July, 2020 by depositing the same in her bank account by second week of every succeeding month.

Learned counsel for the complainant, on instruction, submits that the complainant accepts the offer of the petitioner and she undertakes to supply her bank account details to the petitioner within a period of three weeks by submitting the same on affidavit before the learned Court below.

Considering the present stand of the parties, to save the complainant and her child from destitution and vagrancy, with a lurking hope that in future, the issue may reconcile between the parties, the provisional bail granted to the petitioner, vide order dated 11.12.2019, in connection with C.A. No. 425 of 2018, pending in the Court of learned SDJM, Patna City is hereby confirmed.

The aforementioned payment will be subject to any order being passed in matrimonial, maintenance or any other collateral proceeding.

Three consecutive defaults in making payment by the petitioner will give liberty to the complainant to file an application for cancellation of bail of the petitioner.

The present order, in no way, will preclude the parties to reconcile the issue otherwise.



Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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