

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29016 of 2020

Arising Out of PS. Case No.-2039 Year-2015 Thana- COMPLAINT CASE District- Jamui

Rajesh Tanti aged about 35 years, Male, s/o Awadhesh Tanti, Resident of village- Ram Nagar, Police Station. Halsi, District- Lakhisarai.

... .. Petitioner

Versus

1. The State of Bihar

2. Sulekha Devi aged about 32 year, W/o Rajesh Tanti D/O Bishundeo Tanti Resident of village Ram Nagar, P.S. Halsi, District Jamui, at present address village Amba P.S. and District Jamui.

... .. Opp Party

Appearance :

For the Petitioner	:	Mr. Amrendra Kumar Advocate
For the State	:	Mr. Ram Bilas Roy Raman APP
For the O.P. No.2	:	Mr. Rajesh Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

12 19-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. Heard learned counsel for the petitioner, opposite party No.2/ complainant and learned counsel for the State.

4. The petitioner seeks bail in Complaint Case No. 2039 of 2015, instituted for the offence under Section 498A of the Indian Penal Code.

5. The petitioner is accused being husband of the complainant/opposite party No.2. The matter has been pending since quite some time to enable the parties to amicably settle the



issue. On the last occasion, submission of the petitioner's counsel is recorded to the extent that he has instructions that parties are filing a petition for compromise in the Court concerned. Today, when he appears, he submits that no such compromise petition has been filed after 14.07.2021.

6. The learned counsel for the informant and the learned APP representing the State have opposed the prayer for bail. It is submitted that in spite of the orders passed in Maintenance Case, even the maintenance amounts, as per the order of rejection, has not been paid to the opposite party No.2/complainant till date. The records reveal that on the pretext of filing a compromise the petitioner has been continuing on provisional bail in the instant proceeding for a considerable period of time i.e. since 21.12.2020.

7. This Court is of the opinion that that if a compromise petition is to be filed in the learned court below, the parties would be free to do the same within a period of four weeks, failing which, the provisional bail granted to the petitioner shall stand cancelled, and the petitioner would be at liberty to renew his prayer for bail, in accordance with law.

8. With the aforesaid observations the petition stands disposed off.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

