

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70701 of 2021

Arising Out of PS. Case No.-217 Year-2021 Thana- DIGHWARA District- Saran

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RANJAN KUMAR SINGH Son of Nagendra Singh Resident of Village -
Unnachak, P.S. - Dighwara, District - Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rinku Kumari, wife of Ranjan Kumar Singh, Daughter of Ramlaxman Singh, resident of village-Unhachak, P.S.-Dighwara, District-Saran, at present resident of village-Parsouna, P.S.-Parsa, District-Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shakil Ahmad Khan, Adv.
For the Opposite Party/s	:	Mr.Dashrath Mehta, APP
For the Informant	:	Mr. Satya Prakash Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Learned counsel for the petitioner is permitted to make correction in the name of the petitioner. According to him, the name of the petitioner is Ranjan Kumar Singh whereas it has been typed as Rajan Kumar Singh.

Let the correction be carried out in course of the day.
Accordingly, the correction is being made in NIC also.

Let the informant be added as opposite party no.2 in course of the day.

The informant has already entered appearance through



Mr. Satya Prakash Sinha, learned counsel.

Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Dighwara P.S. Case No.217 of 2021 registered for the offences punishable under Sections 498(A)/494 of the Indian Penal Code. He is in custody since 13.09.2021 The petitioner has got one criminal antecedent.

The allegation against the petitioner is that he has been neglecting his wife (the informant) since the year 2016. The informant has been compelled to stay with her parents. It is alleged that on 06.04.2021 the petitioner has solemnized another marriage which is unlawful.

Learned counsel for the petitioner submits that the allegation against the petitioner is false and flimsy. The petitioner is still ready to keep the informant in his house as legally wedded wife and he denies having solemnized any other marriage. It is his submission that the informant is not ready to live with the petitioner and the allegation of solemnization of second marriage is only false and fabricated.

Learned counsel for the petitioner has submitted that to show his bonafide the petitioner is ready to provide a sum of



Rs.3,000/- per month to the informant subject to final outcome of the maintenance case which is pending in the learned court below. Learned counsel submits that he is saying so on instruction and would abide by the same if the petitioner is released on bail. He is in custody since 13.09.2021.

Learned counsel for the informant has opposed the prayer for bail of the petitioner as according to him the petitioner has solemnized second marriage and under these circumstances the informant cannot live with the petitioner. Learned counsel submits that the matter be also referred to the mediation where the parties can discuss one time settlement and /or any other mode of amicable resolution of the dispute.

Having regard to the submissions noted hereinabove, in the nature of the dispute, this Court directs that the learned court below shall refer the matter to the mediation centre attached to the court where the parties can discuss the issues and try to resolve the matter amicably. The petitioner has already remained in custody since 13.09.2021 and he has on his own volition in order to show his bonafide come out with a submission to pay a sum of Rs.3,000/- per month for the present to the informant, therefore, he will abide by the same by paying the amount within seven days of every month.



In the given circumstance, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Saran at Chapra in connection with Dighwara P.S. Case No.217 of 2021, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the petitioner shall continue to abide by his submission that he will pay a sum of Rs.3,000/- per month to the informant subject to result of the maintenance case which is pending in the learned court below. Non-compliance with this direction shall be taken seriously and it will be open for the informant to file an appropriate application seeking cancellation of bail of the petitioner.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

