

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32731 of 2022

Arising Out of PS. Case No.-2560 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Sandeep Kumar @ Sandeep Ram Son Of Upendra Ram R/O Village- Bafapur
Banthu, P.S.- Bhagwanpur In The District Of Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilu Devi D/O- Shiv Nath Ram R/O Village- Kazipur Thathan, P.S.- Hajipur
Sadar, District- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 16-03-2023 Heard Mr. Ranjeet Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Rajendra Prasad

Nat, learned APP appearing on behalf of State.

2. The petitioner seeks pre-arrest bail in connection
with Vaishali Complaint Case No. 2560 of 2019 registered
under Section 498(A) of the Indian Penal Code and Section 3/4
of the D.P. Act.

3. The prosecution story, in brief, is that petitioner
was married to Opposite Party No. 2 who has tendered her
appearance before this Court and after marriage the petitioner
started demanding a motorcycle and for non-fulfillment of the
said demand the petitioner allegedly tortured the Opposite Party



No. 2.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner has made a specific statement in Paragraph No. 11 of the bail application that petitioner is ready to keep Opposite Party No. 2 with full dignity and honour. Learned counsel further submitted that the petitioner is also ready to support Opposite Party No. 2 and his children both financially and physically.

5. Mr. Rajendra Prasad Nat, learned APP for the State has submitted that it seems that the party due to strain relationship are having some grudge which has lead to the filing of the present complaint petition.

6. Considering the nature of allegation it appears to this Court that petitioner is ready to keep Opposite Party No. 2 with full dignity and honour and is also ready to support her financially along with her two children, an opportunity be given to the petitioner to reconcile the matrimonial strain between the parties. It would be in the interest of justice to give some time to the couple to reconcile their matrimonial dispute and lead a happy married life. Prime facie, it appears to this Court that petitioner has made out a case to be released on pre-arrest bail. However, Opposite Party No. 2 is not represented in the Court



today at the time of hearing of this case, the petitioner is directed to be released on pre-arrest bail with a condition that parties may strive to reconcile their matrimonial dispute, in case, the Court below finds that it would be proper to refer the matter to the Mediation Centre the same be done after a period of one year. If either side do not make any complaint and they lead their matrimonial life happily, then the pre-arrest bail granted to the petitioner must be made absolute on such terms and conditions as the Court below deem to be fit and proper.

7. Court below is directed to release the petitioner on pre-arrest bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Vaishali Complaint Case No. 2560 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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