

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69188 of 2022

Arising Out of PS. Case No.-91 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Raju Singh @ Babu Saheb @ Raju Kumar Singh S/o Shambhu Singh R/v-
Hasima, P.S.- Bairganiya, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kajal Kumari D/o Chandeshwar Singh R/v- Barwakala, P.S.- Ghorasahan,
District- East Champaran.

... .. Opposite Party/s

=====

Appearance:

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

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 24-03-2023 Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

Petitioner seeks regular bail in connection with Complaint Case No. C-91 of 2020 registered for the offences punishable under Sections 498A and 406 of the Indian Penal Code and 3/4 of the DP Act.

As per the prosecution, the informant (victim) alleged that after marriage she was subjected to physical torture and abuse

over non-fulfillment of dowry demand by this petitioner (husband of the victim) and her in-laws and eventually the informant was ousted out from her matrimonial home.

The main submissions advanced by learned counsel for petitioner are that the petitioner is husband of the opposite party no. 2 and in the instant matter he has been languishing in jail since 08.10.2022 and he is ready for one time settlement with his wife and also ready to pay her interim maintenance of Rs. 4,000/- (Four thousand) per month till the final settlement and against him there is no specific allegation.

Learned counsel for opposite party no. 2 has opposed the bail prayer of the petitioner and submitted that before the panchayat meeting both the spouses agreed on one time settlement and as per that settlement the petitioner was bound to pay eleven lakh rupees to the opposite party no. 2 but he did not comply with the said settlement. However, the opposite party no. 2 is ready for further conciliation if the same is made in between both the spouses and she is also ready to accept the petitioner's proposal to pay interim maintenance to her.

In view of the above submissions, let the petitioner be enlarged on bail provisionally for the period of eight months on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two

sureties of the like amount each to the satisfaction of concerned Court in connection with Complaint Case No. C-91 of 2020 and during the provisional bail period the Trial Court itself, through mediation centre, will hold deep conciliation in between both the spouses to settle their disputes as well as for making them to be ready for one time settlement if the same appears to be a last option. If both the spouses wish to compromise or petitioner cooperates in the conciliation, then in either of both the conditions the provisional bail shall be confirmed but if the petitioner does not cooperate in the conciliation or on account of his behaviour the conciliation does not get fruitful result then in the presence of either of these conditions the provisional relief granted to the petitioner by this order will be viewed seriously by the Trial Court and thereafter steps will be taken to cancel the bail bond of the petitioner.

Further, petitioner is directed to pay Rs. 4,000/- (Four thousand) as interim maintenance to opposite party no. 2 during the period till the final decision by competent Court with regard to maintenance of the opposite party no. 2, if in this regard any proceeding is initiated by opposite party no. 2 before the competent Court and the said amount will be paid to opposite party no. 2 after one month from the date of this order and the

same will be adjusted in the maintenance amount, if the same is
fixed by the competent Court.

(Shailendra Singh, J)

Shahnawaz/-

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