

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24911 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -KURSELA District- KATIHAR

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1. Pawan Yadav Son of Nago Yadav resident of village - Dirachandpur,
P.S. Kursela, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-07-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner being husband of the informant apprehends

his arrest in connection with Kursela P.S. Case No. 37 of 2015

registered for the offences punishable under Sections 498(A) of

the Indian Penal Code and ¾ of Dowry Prohibition Act.

It would appear that petitioner was summoned by the

police under Section 41(A) of the Cr.P.C. and thereafter he was

directed by the police to appear before the court below after taking

undertaking from the petitioner. The petitioner approached the

learned Sessions Judge for grant of privilege of anticipatory bail

but the learned Sessions Judge, too, directed the petitioner to

surrender before the court below and furthermore the learned

Sessions Judge directed the court below to pass appropriate order in the light of judgment of Apex Court of this country reported in 2014(3) PLJR SC, 314.

In view of the aforesaid facts, this petition stands disposed of with direction to petitioner to obey the direction given by learned Sessions Judge in A.B.P. No. 447 of 2015 vide order dated 08.05.2015 and furthermore, the learned court below should proceed with the matter in the light of judgment reported in 2014(3) PLJR SC, 314.

However, I would like to observe here that the learned court below shall not take any coercive step against the petitioner, unless the conciliation proceeding fails.

(Hemant Kumar Srivastava, J)

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