

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47858 of 2014**

Arising Out of PS.Case No. -529 Year- 2014 Thana -MOTIHARI TOWN District-  
EASTCHAMPARAN(MOTIHARI)

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1. Aditya Kumar @ Aaditya Kumar S/o Deep Narayan Mishra resident of  
House No.-232, Amar Chhatauni, P.S.- Chhatauni, Dist.- East Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Richa Bhardwaj D/o Sri Niwas Pathak, W/o Aditya Kumar residing at  
Muhalla- Teliya Patti, P.S.- Motihari Town, Dist.- East Champaran

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sangeet Deokuliar  
For the Opposite Party/s Mr. Indu Bala Pandey (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

08/ 28.07.2015 Heard learned counsel for the petitioner as well as learned  
Addl. Public Prosecutor for the State and also heard learned counsel  
for the informant.

Petitioner apprehends his arrest in connection with Motihari  
Town P. S. case no. 529/2014 registered under section 498A/34 of the  
Indian Penal Code and section 3/ 4 of the D.P. Act.

Petitioner happens to be husband of the informant and there  
is specific allegation of illegal demand as well as torture against him.

Learned counsel for the petitioner submits that informant  
has already filed maintenance suit and moreover, informant could not  
succeed to bring on record a chit of paper to show about alleged  
illegal demand as well as torture.

Regard being had to the facts and circumstances as well as  
submissions of the parties, I am not inclined to extend the privilege of

anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail stands rejected.

However, if the petitioner surrenders within six weeks from today and seeks regular bail, his regular bail application shall be considered on its own merit without being prejudiced by this rejection order and if the petitioner makes a proposal for settlement with the informant, the concerned court shall take appropriate steps to resolve the dispute of the parties within one month from the date of making of the aforesaid proposal and in that period, petitioner shall not be taken into custody but if re-conciliation fails then in that circumstance, learned court below shall be at liberty to take the petitioner in custody and pass appropriate order on regular bail application of the petitioner.

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(Hemant Kumar Srivastava,J)

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