

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38486 of 2015

Arising Out of PS.Case No. -158 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

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Avinash Kumar Son of Bijay kumar Sah Resident of Village and Post-
Dinara, Police Station -Dinara, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rajani Kumari D/o Chaudhari Prasad, Resident of village – Subhash
Nagar Dehri, P.O. and P.S. Dehri, District – Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Choubey

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 15-12-2015

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 498A/34 of the Indian Penal
Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

Counsel for the petitioner submits that the
petitioner admits his marriage with the informant on 02.03.2014
but the petitioner filed Matrimonial Suit No. 75 of 2015 with a
prayer for divorce on 20.04.2015 and thereafter the present FIR

was registered on 05.05.2015, hence, reconciliation is not feasible at present. However, the petitioner is ready to make payment of Rs.2,000/- to the informant from January, 2016.

Counsel for the informant submits that the informant is still ready to resume the conjugal life and prior to the issuance of notice in the matrimonial suit the FIR was registered and there is no reason for the petitioner not to keep the informant as wife with dignity and honour. It is further submitted that the informant is not ready to accept the offer of the petitioner and only ready to resume the conjugal life.

In the circumstances, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Dinara P.S. Case No. 158 of 2015 pending in the court of learned Judicial Magistrate, Ist Class, Bikramganj, Rohtas.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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