

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22714 of 2015**

Arising Out of PS.Case No. -47 Year- 2015 Thana -SONEPUR District- SARAN

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Priya Ranjan Sinha S/o Late Prem Kumar Sinha Resident of Mohalla -  
Kalambagh Road, Near Vaishali Pastries, P.S. Kazi Mohammadpur, District  
- Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Nicky Sinha @ Nicky Kumari W/o Priya Ranjan Sinha, D/o Shankar  
Prasad Srivastava resident of Mohalla - New Road Sonapur, P.S. Sonapur,  
District - Saran at Chapra

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

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate  
For the Opposite Party/s : Mr. Manish Kumar 2 (App)

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

8      28-04-2016                      Heard learned counsels for the petitioner and the  
  
State.

The petitioner being the husband of the informant is  
apprehending arrest in a case registered for the offences  
punishable under Sections 498A and 354/34 of the Indian Penal  
Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of  
dowry demand.

On instruction, learned counsel for the petitioner  
submits that the petitioner is ready to keep the informant as wife  
with full dignity and honour. A statement to that effect has been

made in paragraph 11 of the petition, which reads as follows :-

*"That the petitioner is still ready to keep her wife (informant) with full dignity and honour."*

It is further submitted that the petitioner has filed matrimonial suit also for restitution of conjugal rights.

This Court vide order dated 16.07.2015, on joint prayer of the parties, referred the matter to the Mediation Centre of Bihar State Legal Services Authority. The report of the mediator dated 27.10.2015, kept at 'falg-O' reflects that both sides resolved the issue and agreed to reside together and decided not to contest the cases instituted against each other.

It appears that in pursuance to the resolution of the issue before the mediation centre the informant went to the matrimonial house with two children but there again she was tortured for which a 'Sanha' was lodged.

It is submitted by learned counsel for the petitioner that the matrimonial harmony could not be restored due to the apathetic attitude of the informant whereas it is submitted by learned counsel for the informant that the petitioner made assault to the informant leading to lodging of 'Sanha'.

The petitioner and opposite party no.2 are present. But it does not appear that the issue could be reconciled

between the parties.

Under the circumstances, let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Sonapur P.S. Case No.47/2015, pending before the learned ACJM, Saran at Chapra.

With the above observation, this application is, accordingly, disposed off.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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