

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24826 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

=====

1. Subhash Kumar @ Subhash Kumar Ram Son of Ramayadhya Ram
Resident of village - Alhadad, P.S. Vaishali, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari, W/o Subhash Kumar, resident of village- Koiriya Sagir,
P.S.-Paroo, District- Muzaffarpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh, Advocate

For the Opposite Party/s : Mr. M.K. Khare (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 08-04-2016 Heard learned counsel for the petitioner and the State.

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 the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the informant. The father of the informant took her from the Matrimonial house on 26.05.2013 and thereafter the informant never returned the matrimonial house. The petitioner filed Matrimonial Suit No. 464 of 2013 with a



prayer for divorce on 25.11.2013 on the ground that the informant is suffering from leprosy. On the joint prayer of the parties, the matter was referred to the Mediation Centre of the State Legal Services Authority by this Court vide order dated 07.12.2015. The report of Mediator dated 28.01.2016 at Flag-X reflects that the petitioner never appear after several notices.

It is submitted by the learned counsel for the petitioner that reconciliation is not feasible at present.

Petitioner and informant/opposite party no. 2 are present in the Court.

Learned counsel for opposite party no. 2 submits that opposite party no. 2 is ready to resume the conjugal rights. The petitioner filed Matrimonial Suit for divorce making false claim that the informant is suffering from Leprosy. She was being treated for some skin disease. The matter was adjourned by this Court on 15.03.2016 and 07.04.2016 allowing the petitioner and opposite party no.2 to resolve the issue, but it appears that the petitioner is reluctant to reconcile the issue.

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 Vaishali P.S. Case No. 91 of 2015, pending in the court of learned Chief Judicial Magistrate, Vaishali at

Hajipur.

With the above observation this application

is disposed of.

(Dinesh Kumar Singh, J)

P.K./-

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