

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35865 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Mukesh Yadav son of Baban Yadav, resident of village Malhipur P.S. Rajpur, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Devi wife of Mukesh Yadav, D/o Shri Antu Yadav present address Resident of village Jorar, P.S. Ramgah District Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Md.Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 26-07-2016 The petitioner being 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 Section 4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant on 21.05.2011 but immediately after the marriage the petitioner found that informant is slightly mentally abraized, hence an informatory petition was filed before learned Chief Judicial Magistrate, Buxar on 21.10.2014. The same has been brought on record as Annexure-2, whereas the present F.I.R was registered on 21.12.2014.

On the joint prayer of the parties, the matter was referred to the Mediation & Conciliation Centre of the State Legal Services Authority vide order dated 03.03.2016. The report of the Mediator at Flag-B reflects that the issue could not be resolved through the process of mediation.

It is submitted by learned counsel for the petitioner that though petitioner is not ready to keep the informant but he is ready to make payment of permanent alimony of Rs. 6,00,000/- as claimed by the informant. A supplementary affidavit to that effect has been filed.

It is submitted by learned counsel for the informant that informant is not ready to accept the offer of the petitioner and she is only ready for resumption of the conjugal life.

Considering the fact that the matter is pending before this Court since last about a year but the issue could not be resolved, let 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 Mahila P.S. Case No. 46 of 2014, pending in the Court of learned Chief Judicial Magistrate, Kaimur at Bhabua.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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