

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43948 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -MAHILA PS District- KATIHAR

Nakul Karmkar, Son of Fakir Chandra Karmakar,

.... Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi D/o Akshay Kumar Das,

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Durgesh Nandan(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-01-2016 Heard learned counsels for the petitioner, informant and the State.

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

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

The matter was referred to the Mediation centre of Bihar State Legal Services Authority vide order dated 16.09.2015 but it appears that the issue could not be resolved.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant in the



year 2009. Earlier the informant filed Complaint Case No. 430 of 2013 levelling accusation against the parents and other family members of the petitioner of kidnapping the petitioner wherein the accusation was subsequently found false, thereafter the present FIR has been lodged. Though, in the earlier complaint the petitioner was not made accused but in the present case, the petitioner has been made accused.

On instructions, learned counsel for the petitioner further submits that the petitioner is not ready to resume the conjugal life since the father of the informant has taken money and gold from the petitioner as loan but has not returned the same.

On instruction, learned counsel for the informant submits that the informant is ready to resume the conjugal life and the earlier case was lodged by the informant at the instigation of the petitioner.

Considering the fact that reconciliation does not appear to be feasible at present, 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 Katihar Mahila P.S. Case No.30/2015, pending before the learned SDJM, Katihar.

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

(Dinesh Kumar Singh, J)

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