

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44807 of 2015

Arising Out of PS.Case No. -2580 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Ritesh Kumar son of Devendra Sah.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narayan Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 20-07-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand after thirteen years of marriage.

On the joint prayer of the parties, the matter was referred to the Mediation and Reconciliation Centre of the Bihar State Legal Services Authorities vide order dated 23.02.2016.

The report of the mediator dated 31.03.2016 at flag-‘C’ reflects that the issue could not be reconciled through the process of mediation.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant but has filed Matrimonial Suit No. 155 of 2013 with a prayer for divorce though, subsequently to filing of the present complaint.

It is submitted by learned counsel for the complainant that the complainant is still ready to resume the conjugal right.

Considering the fact that prima facie it appears that the issue could not be reconciled due to adamant attitude of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Complaint Case No. 2580 of 2013 pending in the court of learned SDJM, Vaishali at Hajipur.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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