

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30446 of 2016

Arising Out of PS.Case No. -120 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

=====

1. Sunil Prasad S/o Lakhan Mahto, R/o Vill Sarbahana Baribighia, P.S.-
Wazirganj, Distt.- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pratima Devi, W/o Sunil Prasad, r/o Vill Sarbahana Barhibigha, P.S.-
Wazirganj, Distt.- Gaya, d/o- Kailash Mahto, R/o- vill Baniyabigha, P.S.-
Narhat, Distt.- Nawada.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-07-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 504 and 498(A) of the India Penal Code.

Basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant. The husband of the complainant is working as labour in Textile Mill at Surat on daily wages. The complainant did not show interest to resume the conjugal life with the petitioner in spite of sincere efforts made by the petitioner. Thereafter, the petitioner

performed second marriage. A statement to that effect has been made in Para-9 of the petition, which reads as follows:-

“That thereafter petitioner married to another lady to lead his life and then thereafter the present case has been filed in order to put pressure for her illegal demands.”

It is further submitted by the learned counsel for the petitioner that the petitioner is ready to resolve the issue in terms of permanent alimony.

The impugned order reflects that the matter was referred to mediation, but the petitioner chose not to appear whereas the complainant appeared before the mediation. Now, the petitioner is ready for mediation.

In these circumstances, 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 and preferably disposed of the same on the same day, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 120 of 2015, pending before the Court of learned Judicial Magistrate, 1st Class, Nawada.

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

(Dinesh Kumar Singh, J.)

Mishra/-

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