

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31540 of 2016

Arising Out of PS.Case No. -151 Year- 2014 Thana -SAHPUR District- PATNA

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Mani Shankar Chaudhary S/o Pawan Kumar Chaudhary

.... Petitioner/s

Versus

1. The State of Bihar.

2. Alka Chaudhary W/o Mani Shankar Chaudhary, D/o Late Ram Bilas Chaudhary

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 02-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 379, 504, 506, 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

The order dated 01.04.2016, passed by learned 1st Additional Sessions Judge, Patna, in ABP No.6580/2015,



reflects that on the offer of the petitioner that he is ready to keep the informant as wife with dignity and honour and acceptance of the offer of the petitioner by the informant, the learned Court below directed the petitioner to be released on provisional bail, subject to filing of a joint compromise petition within a period of two months with a liberty to the informant to seek cancellation of bail bond of the petitioner in case of ill-treat by the petitioner. But in stead of furnishing bail bond, the petitione
petitioner preferred another anticipatory bail application before the learned Court below being ABP No.4013/2016, which is the impugned order before this Court.

It is submitted by learned counsel for the petitioner that since the informant refused to sign the joint compromise petition, hence, the petitioner could not surrender and furnished bail bond.

In view of the fact that the petitioner was granted anticipatory bail but he chose not to furnish the bail bond, this Court is not inclined to interfere into the matter.

Let the learned Court below consider the prayer for regular bail of the petitioner and preferably dispose of on the same day, if the petitioner surrenders within a period of six weeks in connection with Sahpur P.S. Case No.151/2014,

pending before the learned Judicial Magistrate, Danapur, Patna.

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

(Dinesh Kumar Singh, J)

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