

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9084 of 2016

Arising Out of PS.Case No. -419 Year- 2014 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

Gorelal Yadav son of Saryu Yadav resident of Village Dhotapur, P.S.
Kashichak, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Bharti wife of Gorelal Yadav D/o Krishna Kumar resident of
Pakribarawan Thana Road, Pakribarawan, P.S. Pakribarawan, District
Nawada.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Mr. A.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 14-09-2016

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the
complainant has renewed his prayer for anticipatory bail 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 4 of the Dowry
Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is not ready to reconcile the issue due to the past conduct of the complainant.

The earlier anticipatory bail application of the petitioner was disposed of vide order dated 29.01.2016 passed in Cr. Misc. No. 55446 of 2015 since the petitioner was not ready to accept the offer of the complainant to resume the conjugal life.

It is further submitted by learned counsel for the petitioner that the petitioner has renewed his prayer for anticipatory bail on the ground that petitioner is ready to make certain payment for the welfare of the complainant, though, petitioner has filed Matrimonial Suit No. 1982 of 2014/T.M.S. No. 234 of 2014 with a prayer for divorce subsequent to the filing of the complaint petition.

The aforesaid facts may be a ground for consideration of prayer for bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 419 of 2014

pending in the court of learned Chief Judicial Magistrate,
Nawada.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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