

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36726 of 2015

Arising Out of PS.Case No. -3266 Year- 2012 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

1. Satendra Kumar Shukla Son of Late Umesh Shukla resident of Panapur
Langa, P.S. Hajipur Sadar, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Rajani Kumari W/o Satendra Kumar Shukla R/o Panapur Langa, P.S.
Hajipur Sadar, Distt. - Vaishali D/o Sri Ram Nath Thakur R/o Repura,
P.S. Lalganj, Distt. - Vaishali

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. J.N. Thakur(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 01-08-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

On submission of the counsel for the petitioner that petitioner filed Matrimonial Case No. 163 of 2012 for the restitution of conjugal life but in spite of notices being issued to the complainant in the restitution case, the complainant chose not to appear, this Court vide order dated

27.08.2015 issued notices to the complainant.

It appears that the matter is being adjourned since 11.01.2016 for the appearance of the petitioner but the petitioner is not appearing.

It is submitted by learned counsel for the petitioner that at present he has no instruction from the petitioner.

It is submitted by learned counsel for the complainant that since the petitioner twice married after marrying with the complainant, the complainant is not ready to resume the conjugal life. The complainant claims resolution of the issue through the payment of one time settlement amount.

Considering the aforesaid facts, let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period six weeks in connection with Complaint Case No. 1-3266 of 2012, pending in the Court of learned Chief Judicial Magistrate, Vaishali.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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