

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5837 of 2016

Arising Out of PS.Case No. -76 Year- 2015 Thana -MAHILA PS District- GOPALGANJ

1. Vikash Mahto, Son of Prayag Mahto, resident of Village- Navka Tola,
Banjari, P.S. Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 26-07-2016

Petitioner being husband of the daughter of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A/34 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.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the daughter of the informant and is ready to keep his wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is still ready

to live with Neha as husband-wife but not ready

to become a Ghar Jamai.”

It is submitted by learned counsel for the

informant that daughter of the informant is not ready to accept the offer of the petitioner since she is apprehensive due to the past conduct of the petitioner.

In the aforesaid circumstance, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for eight months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Gopalganj in connection with Gopalganj Mahila P.S. Case No. 76 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let learned Court below refer the matter to the Mediation Centre for getting the issue resolved.

The provisional bail of the petitioner will be confirmed by learned Court below on resolution of dispute through the process of mediation or if the issue is not resolved due to the latches on the part of the daughter of the informant.

(Dinesh Kumar Singh, J)

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