

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48516 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -MAHILA P.S. District- SARAN

1. Rakesh Kumar @ Rakesh Chandra S/o Shri Prakash Chandra resident of village - Panch Mandir Road, P.S. Motihari Town, P.O. Motihari, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Mamta Gupta W/o Shri Kailash Prasad resident of Gudri Rai Ke Chowk, P.S. Bhagwan Bazar, District - Saran

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Bhushan, Advocate

For the Opposite Party/s : Mr. M.Haque (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 08-08-2016 Heard learned counsel for the petitioner and the State.

Petitioner being the husband 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 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the



petitioner that petitioner has filed Matrimonial Suit No. 99 of 2014 with a prayer for dissolution of marriage, but right now the petitioner is ready to keep the informant as wife with full dignity and honour. Though, statement to that effect has not been made in the petition.

On the joint prayer of the parties, the matter was referred to the Mediation and Conciliation Centre vide order dated 17.03.2016. It appears from the report of the Mediator at Flag-B, dated 24.06.2016 that issue could not be resolved through process of mediation. The matter was adjourned on 27.06.2016 as a last indulgence since none appeared on behalf of the petitioner. Today also the prayer is made on behalf of the petitioner for adjournment.

It is submitted by the learned counsel for the informant that the mediation also failed due to apathetic attitude of the petitioner. The informant is ready to resume the conjugal life.

Considering the inconsistent stand of the petitioner and the fact that in spite of several adjournments the petitioner chose not to appear, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Mahila Saran P.S. Case No. 28 of 2015, pending in the court of learned Chief Judicial Magistrate, Chapra.

With the above observation this
application is disposed of.

(Dinesh Kumar Singh, J)

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