

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15647 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -ASAWAN District- SIWAN

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1. Suresh Yadav Son of Late Narain yadav Resident of Village - Majhawalia, P.S. - Assaon, District Siwan at Present residing at mohalla - 8 Maksudan Colony, P.O. & P.S. Rajgangpur, District - Sundargarh (Orissa)

.... Petitioner/s

Versus

1. The State of Bihar
2. Seema Kumari @ Seema Yadav Wife of Suresh Yadav Resident of Village - Majhawalia, P.S. - Assaon, District Siwan at Present residing at mohalla - 8 Maksudan Colony, P.O. & P.S. Rajgangpur, District - Sundargarh (Orissa)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar

For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 05-09-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 323, 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.

On the joint prayer of the parties, vide order dated 11.04.2016, the matter was referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority. The report of the Mediator at Flag-A dated 24.06.2016 reflects that the issue could not be resolved through the process of mediation.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant but petitioner is not ready to keep the informant.

It is submitted by learned counsel for the informant that informant is ready to resume the conjugal life. It is further submitted that petitioner was granted provisional bail by learned Court below, consequently he executed the bail bonds. Hence, on that ground also the anticipatory bail application of the petitioner is not maintainable as petitioner is in the deemed custody of the Court.

Considering the fact that petitioner was granted provisional bail and he executed the bail bonds, let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Assaon P.S. Case No. 08 of 2015, pending in the Court of learned Chief Judicial Magistrate, Siwan.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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