

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41443 of 2016

Arising Out of PS.Case No. -168 Year- 2016 Thana -RAJIVNAGAR District- PATNA

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Kumar Pankaj S/o Chitranjan Prasad Sinha resident of Road No. 24, Shiv Shakti Colony, P.S.- Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shreya Kumari @ Neha Kumari W/o Kumar Pankaj, D/o Manoj Kumar Sinha, Resident of Mohalla- Goriya Math, P.O.- G.P.O., P.S.- Gardanibagh, Distt- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. J. N. Thakur, APP
For the Informant	:	Mr. Lokesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 11-04-2017 Heard learned counsels for the petitioner, informant and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

The petitioner and the informant are present in the Court.

Initially, on the submission of learned counsel for the



petitioner that the petitioner admits his marriage with the informant and he is ready to keep her as wife with full dignity and honour, coupled with a statement to that effect being made in paragraph no.8 of the petition, notices were issued to the informant opposite party no.2. Paragraph no.8 reads as under :-

"That the petitioner is ready to keep the informant (wife) with full dignity and respect as his wife. If informant also ready to enjoy the happy marital life with petitioner."

This Court vide order dated 20.01.2017, on joint prayer of the parties, referred the matter to the Mediation and Conciliation Centre of the Bihar State Legal Services Authority. The report of the 'Mediator' dated 02.03.2017, kept at 'Flag-A' reflects that the issue has been reconciled as both the parties agree to resume the conjugal life.

It is submitted by learned counsel for the petitioner that the petitioner and the informant are residing together.

It is submitted by learned counsel for the informant that though he is not controverting the contention of learned counsel for the petitioner, but the informant is little bit apprehensive of the fact, if the petitioner retracts from his present stand in future.

Considering the fact that petitioner and the informant are residing together, hence it generates a lurking hope that the



matrimonial harmony will substantially restore in future, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, 1st Class, Patna, in connection with Rajiv Nagar P.S. Case No.168/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, the informant would be at liberty to file appropriate application before this Court if the petitioner fails to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

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