

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 21507 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -PARAIYA District- -

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Vikash Yadav S/o Raja Yadav resident of Village- Dumra, P.S.- Paraiya,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kavita Devi wife of Vikash Yadav resident of Village- Dumra, P.S.-
Paraiya, District- Gaya. present residing at her parental home at Village-
Ahiyapur, P.S.- Koch, Dist- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms Anita Kumari Singh, Advocate
For the Opposite Party/s : Smt Renu Kumari, APP

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CORAM: HONOURABLE MR JUSTICE DINESH KUMAR SINGH

ORAL ORDER

13 16-05-2017

Heard learned counsel for the petitioner, informant
and learned APP for the State.

Petitioner, being the husband of informant, is
apprehending arrest in a case registered for the offence punishable
under Sections 494, 498A, 341, 323, 379, 504, 506/34 of Indian
Penal Code.

Basic accusation is of torture for non-fulfillment of
dowry demand and performance of second marriage.

Counsel for the petitioner submits that petitioner
admits his marriage with the informant having no issue. It is
stated that though the petitioner has performed the second



marriage but he is still ready to keep the informant with dignity and honour. However, if the informant is not ready to reside with the petitioner then petitioner is ready to make payment of Rs 2,000/- per month to the informant.

The counsel for the informant submits that the informant is not ready to resume conjugal life with the petitioner since he has performed second marriage and she is apprehensive due to past conduct of the petitioner. However, she is ready to part ways with the petitioner on payment of one time settlement amount.

The matter was being adjourned since 20.05.2016 enabling the parties to get the issue resolved but it appears that they are not inclined to resolve the issue.

In the circumstances, prayer for anticipatory bail of the petitioner is rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today, his prayer for bail shall be considered by the learned Court below on its own merit without being prejudiced by this order.

(Dinesh Kumar Singh, J)

M.E.H./-

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