

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23714 of 2017

Arising Out of PS.Case No. -333 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Mukesh Kumar, son of Ganesh Singh, resident of village- Barkagaon,
P.S. Palaridayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Reema Devi, wife of Mukesh Singh, D/o Sri Ramchandra Singh,
resident of village: Amnouria, P.S. Skarganj, District - East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

Mr. Abhishek Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 17-07-2017

Heard learned counsel for the Petitioner and the
State. Also heard Mr. Abhishek Kumar, learned counsel for the
Opposite Party No.2.

Petitioner seeks bail in Complaint Case No.333 of
2012 instituted under Section(s) 498-A Indian Penal Code and
Section 34 of the Dowry Prohibition Act pending in the Court of
the Sub-Divisional Judicial Magistrate, Sikrahna, Dhaka, East
Champaran.

Petitioner is husband. As per Complaint Petition,
Petitioner has committed physical and mental torture with the
complainant. Earlier, petitioner was granted provisional
anticipatory bail by a coordinate Bench of this Court but he did
not fulfill the condition of that order. Therefore, his bail bond was



cancelled.

It has been submitted on behalf of the Opposite Party No.2 that maintenance has been granted in favour of the Opposite Party No.2, but the amount of maintenance has not been paid by the petitioner till date.

Counsel for the petitioner, on query, did not give any definite answer with regard to payment of maintenance to Opposite Party No.2 as granted by the learned court below.

In view of such, this Court is not inclined to grant bail to the Petitioner.

Prayer for bail is **rejected**.

The petitioner may renew his prayer for bail after six months if no substantive progress is made in the trial.

The Trial Court is directed to expedite the trial.

If the petitioner agrees to pay the amount of maintenance and files a petition in the Court below in that regard, in that event, the petitioner may renew his prayer for bail in the Court below earlier than the period of six months and the Court below will be at liberty to pass appropriate order in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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