

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16434 of 2017

Arising Out of PS.Case No. -17 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA

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Pankaj Kashyap, Son of Late Kamal Kashyap, resident of Mohalla- 127/1, Green Park, A Block Jessor Road, Police Station- Lake Town, District- Kolkatta (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puja Kumar, Wife of Sri Rahul Kashyap, daughter of Chandra Narayan Singh, at present resident of Village- Pakardih Mocharim, Police Station- Bodh Gaya, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S.N. Pathak
		Mr. Prashant Kumar
For the Informant	:	Mr. Arvind Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 17 of 2016 registered under Sections 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that petitioner is father-in-law of the complainant, opposite party no.2. Earlier he was granted bail by the learned A.C.J.M., Bidhan Nagar, North 24 Pargana with a direction to surrender before the Court of learned S.D.J.M., Gaya on or before



16.01.2017 and give information about such surrender to the Court within 20.01.2017, but he could not surrender within the aforesaid period due to illness, as he is very old person i.e. aged about 70 years. It is also submitted that he was also apprehension that if he surrenders before the concerned Court, he will be taken into custody because he did not surrender within the prescribed time given by the Court. Further submission is that husband (son of the petitioner) and wife (complainant) have already compromised the case and both are living peacefully and husband has also granted bail by a Bench of this Court. Therefore, no purpose would be solved by sending him to jail.

Learned A.P.P. appearing on behalf of the State submits that the present case is not maintainable because petitioner has already been granted bail by the learned A.C.J.M., Bidhan Nagar, North 24 Pargana, but he did not surrender within stipulated period.

Considering the above facts and circumstances of the case and that the petitioner is aged about 70 years and compromise in between the wife and husband, as also the fact that the petitioner has already been granted bail by the Court below itself and for the ends of justice, let the time to surrender



of the petitioner pending in the Court of S.D.J.M., Gaya be further extended by four weeks from today in connection with Complaint Case No. 17 of 2016.

Accordingly, with the above observation, this application is disposed of only for this limited purpose.

(Arvind Srivastava, J)

Shailendra/-

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