

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21010 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -RAJAUN District- -

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1. Amitesh Singh, son of Sri Amrendra Prasad Singh, residence of Bijay Bhawan, Court Compound, P.S. Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Shreepa Kumari, wife of Amitesh Singh, D/o Sri Ghanshyam Prasad Singh, resident of village- Rajoun, P.S. Rajoun, District- Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Sri Sakir Ahmad, APP
Mr. Ram Chandra Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 30-06-2017

Heard learned counsel for the Petitioner and the

State as well as counsel for the Opposite Party No.2.

The Petitioner apprehends his arrest in Rajaun P.S. Case No.16 of 2017 instituted for the offence under Section(s) 341, 323, 307, 379, 498-A, 376, 511, 504, 506/34 Indian Penal Code and Section 34 of the Dowry Prohibition Act pending in the Court of the Chief Judicial Magistrate, Banka.

The case has been fixed in Chambers on submission of the parties that there is chance of settlement between the parties.

Petitioner is husband of the informant.

It has been submitted on behalf of the Opposite Party No.2 that matter has been settled outside the Court and



father of the petitioner-husband was ready to make payment of rupees fourteen lacs as one time settlement. Learned counsel for the Opposite Party No.2 has produced copy of the agreement entered into between father of the petitioner and the Opposite Party No.2, which bears signature of both.

Today, father of the petitioner as well as Opposite Party No.2 are present.

From the records, it appears that nothing has been done in terms of the agreement entered into between father of the petitioner and the Opposite Party No.2.

Father of the petitioner, on query, has stated that he has returned the jewellery worth rupees six lac and he can make payment of maximum rupees five lacs.

In such circumstances, this Court is of the view that terms of the agreement entered into between the parties is not being followed by the father of the petitioner.

In the written report, there is specific allegation against this petitioner of ousting the informant after committing physical and mental torture.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.



The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

In the event the petitioner at the time of surrender gives offer to the informant for one time settlement in terms of agreement entered into between them, the Court below will pass appropriate order in accordance with law after hearing the counsel for the informant without being prejudiced by the aforesaid order.

(Sanjay Priya, J)

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