

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33607 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -MAHILA PS District- GOPALGANJ

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Ashok Ram S/o Maniraj Ram resident of village - Dharmchak, P.S. - Uchka Gaon, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi W/o - Ashok Ram resident of village - Dharmchak, P.S. - Uchka Gaon, District - Gopalganj. At present residing with her family namely Hirdayanand Ram, resident of village Kharharwan, P.S. Uchka Gaon, District Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

08/ 16-03-2017

Heard learned counsels for the petitioner, State and the informant-opposite party no. 2.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant but he is not ready to keep the informant as wife with



full dignity and honour. However, petitioner is ready to make payment of Rs.1,00,000/- as one time settlement amount.

Counsel for the informant submits that the informant is still ready to resume the conjugal life. The informant claims to have a daughter, hence, she is on the verge of destitution and vagrancy.

Considering the rival submissions of the parties, it appears that no sufficient ground has been made out by the petitioner for not keeping the informant as wife. The matter is pending before this Court since 09.08.2016 allowing the parties to resolve the issue but it appears that the petitioner is not inclined to resolve the issue.

In the circumstances, let the learned court below consider the prayer for bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Gopalganj Mahila P.S. Case No. 14 of 2016 pending in the court of learned Chief Judicial Magistrate, Gopalganj.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J.)

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