

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36495 of 2016**

Arising Out of PS.Case No. -194 Year- 2014 Thana -BALRAMPUR District- KATIHAR

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1. Bipin Yadav Son of Jallad Yadav resident of village - Shahpur, P.S. Balrampur, Distt. Katihar

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Purni Devi Wife of Bipin Yadav Daughter of Govind Yadav resident of village - Shahpur, P.S. Balrampur, Distt. Katihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abdul Wadood

For the Opposite Party/s : Mr. J.N. Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

9      30-06-2017                      Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A,323 and 379 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner is present. However, none appears for the O.P. No. 2.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with O.P. No. 2 and is



ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition which reads as follows:

“That it is being stated that the petitioner is always ready to keep his wife (Informant) with full honour and dignity.”

On the joint prayer of the parties, vide order dated 4.10.2016, the matter was referred to Mediation and Conciliation Centre of Bihar State Legal Services Authority.

The report of the Mediator dated 13.1.2017 at Flag – M reflects that in spite of best and sincere efforts, the mediation could not succeed.

It appears from the record that the matter is being adjourned since last several months allowing the parties to resolve the issue. None appeared on behalf of O.P. No. 2 on 18.5.2017 when the matter was adjourned for today. None appears on behalf of O.P. No. 2 even today.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction



of learned SDJM, Katihar in connection with Balrampur P.S.  
Case No.194 of 2014 subject to the conditions as laid down under  
Section 438(2) Cr.P.C.

The grant of bail to the petitioner will not preclude  
the O.P. No. 2 to resume the conjugal life. If O.P. No. 2 files such  
application before the learned court below, the petitioner will be  
obliged to comply the undertaking given before this court.

**(Dinesh Kumar Singh, J)**

Anil/-

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