

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37192 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -SHIVSAGAR District- SASARAM (ROHTAS)

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Bindhyachal Sah, Son of Naresh Sah, resident of Village- Sinkuhi, Police Station- Shivsagar, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kashturiya Kunwar, Wife of Late Radha Sah, resident of Village- Gopalpur, Police Station- Nokha, District- Rohtas at Sasaram.
3. Indu Devi, D/O Late Rada Sah, Village- Gopalpur, P.s.- Nokha, District Rohtas at Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

7 11-09-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Shivsagar P.S. Case No. 63 of 2016/ Complaint Case No. 555 of 2015, registered under Sections 323, 504, 498(A) and 120(B) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, pending in the court of Chief Judicial Magistrate, Rohtas at Sasaram.

The accusation is of torturing the opposite party no. 3, daughter of informant-opposite party no. 2, by her husband and in-laws due to non-fulfillment of demand of dowry and also to remove from her matrimonial house.



Learned counsel for the petitioner submits that on the joint prayer for learned counsel for the petitioner and the learned counsel for the opposite party no. 2, the matter was referred to the Mediation Centre, Patna High Court, but the mediation could not be succeeded and the petitioner is still ready to keep his wife-opposite party no.3 with full dignity and honour.

Learned counsel for the opposite party nos. 2 and 3 submits that while the opposite party no. 3 was present several dates as fixed by the Mediation Centre, Patna High Court but the petitioner did not present due to that reason the mediation could not be succeeded.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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