

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13226 of 2017

Arising Out of PS.Case No. -1449 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Vinit Keshri @ Veenit Kumar, Son of Late Pramod Keshri, C/o Santosh Yadav, Resident of Mohalla- Mittan Ghat, Adarsh Colony-2, Near Holy Vision School, P.S.- Khajekalan, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Swati Gupta @ Swati Keshri, W/O.- Vinit Keshri, D/O.- Dilip Kumar Gupta, Resident of Math, Lakshmanpur, Koiri Tola, Nichili Road, P.S.- Alamganj, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan
For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-08-2017 Heard learned counsels for the petitioner and the State.

However, none appears on behalf of opposite party no.2.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case, wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the complaint petition, is that the petitioner got married with the complainant on 28.11.2013, but subsequently, there was further demand of Rs. 2 lacs as dowry, out of which Rs. 50,000/- was paid, but



subsequently, torture was inflicted upon the complainant. On 10.07.2015, the complainant was assaulted and subsequently, on 13.10.2015, the complainant gave birth to a female child.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of a female child. The petitioner is still ready to keep the complainant as wife with full dignity and honour and is also ready to settle the issue in terms of payment of one time settlement amount, statement to that effect has been made in para 14 of the petition, which reads as follows:-

“That the petitioner has never deserted and ousted the complainant and is ready to keep her with full dignity and is ready to settle the dispute, but the complainant is not ready to live with the petitioner.”

It appears that the matter was referred to the Mediation and Conciliation Centre of the Patna High Court vide order dated 12.05.2017. The report of the mediator dated 12.07.2017, kept at flag-‘A’, suggests that the issue could not be reconciled through the process of mediation.

Considering the present stand of the petitioner, 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 Sub-Divisional Judicial Magistrate, Patna City in connection with Complaint Case No. 1449C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The grant of bail to the petitioner will not preclude the informant to resume the conjugal life or settle the issue in terms of payment of one time settlement amount and if she files such application before the learned Court below then the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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