

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30452 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Tuntun Kumar Singh @ Tuntun Kumar Son of Rajendra Singh R/o Village
Kulpati Nagar, 44 No. Dhala, Police Station: Chapra Mufassil, District-
Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kiran Devi Daughter of Umesh Singh @ Umakant Singh r/o Sadhpur,
P.S. Garkha, Distt.- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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

ORAL ORDER

05/ 20-01-2017

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

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 341, 323, 498A/34 of the
Indian Penal Code and 3/4 of the 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 being solemnized in the year 2013. The accusation of



making assault by the petitioner is omnibus and general and absolutely baseless. The informant herself deserted the petitioner. Thereafter, the petitioner filed an Informatory petition vide Case No. 2678 of 2014 against the opposite party no. 2 before the Chief Judicial Magistrate, Saran at Chapra and thereafter present FIR was registered. It is further submitted that subsequent to lodging of the FIR, the petitioner has filed Matrimonial Suit No. 85 of 2016 with a prayer for divorce.

On the joint prayer of the parties, the matter was referred to the Mediation and Conciliation Centre of the State Legal Services Authority vide order dated 18.11.2016. The report of the Mediator dated 21.12.2016 at Flag 'X' reflects that the issue has been resolved and the informant has resumed the conjugal life.

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that both are residing together since one month. This contention of the learned counsel for the petitioner has not been controverted by the counsel for the informant.

In the circumstances, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of



twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Mufassil P.S. Case No. 13 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the order along with report of the Mediator with the terms of agreement be transmitted to the learned court below.

(Dinesh Kumar Singh, J)

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