

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40100 of 2017

Arising Out of PS.Case No. -160 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Ajay Kumar Pandit S/o Prash Pandit resident of Village- Matiyaria Pipra,
P.S. Harsidhi District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Raj Nandani Devi W/o Ajay Kumar Pandit D/o Binda Pandit, resident of
at present Village- Matiya Diha, Dhaka Road, P.S. Chhatauni, District E.
Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 498A of the Indian Penal Code and
Sections 3 and 4 of the Dowry Prohibition Act in connection with
Complaint Case No. 160 C/2016.

The petitioner is husband of the complainant. Allegation
against the petitioner is under Section 498A.

Submission of learned counsel for the petitioner is that
at the time of hearing of anticipatory bail the matter was referred to
Mediation Centre, but the wife of the petitioner is not ready to live
with the petitioner and now the petitioner has remained in custody
about three months.



Heard learned Additional Public Prosecutor as well as learned counsel for the informant. They have opposed the prayer for bail stating that the allegation against the petitioner is of snapping obscene pictures of his wife/complainant and making it viral and as such the complainant is not ready to live with the petitioner, but the petitioner is ready to provide some maintenance to her so that she may manage her life.

Having heard both sides, in view of the allegation, leveled against the petitioner, I am not inclined to enlarge the petitioner, above named, on bail. Accordingly, the same is rejected.

Learned trial court is directed to call the petitioner and opposite party no. 2 in the court below and try to mediate with them with regard to a reasonable maintenance, if any settlement is made between the parties and the petitioner is ready to pay reasonable maintenance, he will be released on bail to his own satisfaction, otherwise he will be at liberty to pass an order, which he deems fit and proper at the same time.

Learned trial court is also directed to expedite the trial and try to conclude the same within six months.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J.)

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