

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54133 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -NAYAGAON District- SARAN

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1. Rajnish Kumar @ Ashish Kumar Singh, son of Baidyanath Singh, R/o
Village- Dumari Bujurg, P.S.- Nayagaon, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore, APP

Mr. Narendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 12-02-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner apprehends his arrest in **Nayagaon P.S.**

Case No.65 of 2017 instituted for the offence under Section(s)

147, 341, 323, 379, 498-A Indian Penal Code and Section 3/4 of

the Dowry Prohibition Act pending in the Court of the

Additional Chief Judicial Magistrate, XIII, Saran at Chapra.

Petitioner is husband of the informant. Marriage of the informant was solemnized with the petitioner on 24.11.2016 according to Hindu rites and rituals. It is alleged that she was tortured for demand of Alto Car and five lac rupees. She was even assaulted by the petitioner and other accused. They wanted to kill her if demand of dowry is not fulfilled. On 25.12.2016, the



petitioner and other accused assaulted the informant and ousted her from the house after taking her all the belongings.

Matter was sent to Mediation Centre for reconciliation. The report of the Mediator is available on record, wherein, it is mentioned that *“In spite of best and sincere efforts due to non-cooperation of the petitioner neither he is ready to keep her nor he is ready to settle otherwise. Therefore, dispute between the parties could not be resolved through the process of mediation. The mediation has thus failed”*.

During hearing of this application, informant-wife has submitted that she is ready to live with the petitioner-husband and as such, matter was fixed in Chambers and both husband and wife were asked to remain present.

Both husband and wife are present in Chambers today. Wife has stated that she wants to live with the husband, but the husband is not ready to keep the wife.

This Court from the conduct of the husband could not find any justifiable reason for not keeping the wife with him.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.



Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

JA/-

(Sanjay Priya, J)

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