

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5247 of 2019

Arising Out of PS. Case No.-171 Year-2018 Thana- BHANGWANPUR HAT District- Siwan

VINOD KUMAR Sri Kishun Sah Village - Chorma Tola Jalpurwa, P.S. -
Bhagwanpur Hat

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Gupta Vinod Kumar D/o Ajay Sah Resident of Village - chorma Tola Jalpurwa, P.S. - Bhagwanpur Hat, Distt.- Siwan, At present village - Sareya , P.S. - Basantpur Distt.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bhagwanpur Hat P.S. Case No. 171 of 2018 registered for the offences punishable under Sections 498A, 406, 120B of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is that after marriage he demanded Alto car and cow and for that he ousted the complainant/informant from the house.

Submission of learned counsel for the petitioner is that as she is residing at Calcutta for the last four years she is not ready to reside with the petitioner in village and left her sasural and for that petitioner has filed a Matrimonial case for restitution of conjugal rights before the Family Court and further submission is that though he is ready to keep her with dignity and care but she is not ready to reside with the petitioner. On the other hand, learned counsel for opposite party



No.2 has submitted that false plea has been taken by the petitioner she is not ready to reside with the petitioner in village, rather she has appeared in the matrimonial case and the matter was sent to the Mediation Centre and at that time petitioner was not ready to keep her, as such the mediation failed.

Heard learned APP also.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He may surrender and pray for regular bail.

However, in spite of that if petitioner succeeded in persuading opposite party No.2 to reside with him and she is ready for that, learned court below shall consider the same while disposing of the bail application of the petitioner and pass an appropriate order.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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