

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7908 of 2019**

Arising Out of PS. Case No.-663 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Uttam Kumar Sinha, S/o Mahendra Mandal, R/0- village-Lougain, P.S-
Shivnarayanpur (Kahalgaon),

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Shree W/o Uttam Kumar Sinha Daughter of Abhay Kumar Sinha,
presently residing at village-Mathurapur, P.S-Shivnarayanpur (Kahalgaon)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

7 23-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Complaint Case No.663 of 2017 for the offence punishable
under Sections 323, 498(A)/34 of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

The allegation against the petitioner is that the
marriage of the petitioner was solemnized with Opposite Party
No.2 on 26.05.2014 and after marriage, the petitioner and his
family members started demanding of Rs. 2 lakh as dowry and
due to non-fulfillment of the same, they tortured the
complainant mentally and physically.



The matter was referred in Mediation and as per Medication report dated 21.06.2019, it transpires that the dispute between petitioner and Opposite Party No.2 could not be settled. By order dated 08.07.2019, both the parties, i.e., petitioner as well as Opposite Party No.2 were directed to present personally along with their respective counsels before this Court in Chamber, in pursuance thereof, both the parties, i.e., petitioner and Opposite Party No.2 along with their respective counsels are present. Upon asking from the petitioner, the petitioner has agreed to keep Opposite Party No.2 as wife with honour and dignity, however, Opposite Party No.2 refused to live with petitioner and insisted that the petitioner should pay handsome amount to her as full and final settlement by way of permanent alimony.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of complainant and taking into consideration the fact that the petitioner is ready to keep his wife with full dignity and honour but Opposite Party No.2, i.e., his wife is not willing to stay with the petitioner and insisted only for permanent settlement, as such I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner is directed to surrender



before the learned Court below within a period of four weeks and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhagalpur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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