

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8577 of 2019

Arising Out of PS. Case No.-01 Year-2018 Thana- MAHILA P.S. District- Vaishali

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SHIV KUMAR BHAGAT Son of Jawahar Bhagat Resident of Village -
Jadhua Pokhar, Near Brahamasthan

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR AND ANR Bihar
2. Manju Devi Daughter of Hira Lal Paswan Resident of House No. 9 Behind
Patna Museum, Bidhyapati Colony , Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priya Gupta, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Mahila P.S.Case No. 01/ 2018, registered for offences punishable under Sections 498A, 307 and 34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner, who happens to be the husband of the informant, is of subjecting her to cruelty and tried to kill her due to non fulfillment of demand of dowry.

Submission of the learned counsel for the petitioner is that the petitioner was married with the informant twenty years before and two children aged about 18 years and 14 years of their wedlock and the petitioner has falsely been implicated in the present case and there is no material to proof the allegation.



From the impugned order it appears that for compromise between both parties, many opportunities given to the parties before the Mediation Center but matter has not been reconciled due to non appearance of the informant and the petitioner is ready to abide all conditions imposed upon him.

Learned A.P.P. as well as learned counsel for the informant opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, above named surrenders within a period of six weeks from the receipt of this order and on surrender, he shall be released on provisional bail for a period of three months by the Court below to its own satisfaction and in the meantime, learned court below shall issue notice to the informant and on her appearance Court shall make reconciliation and on reconciliation, if the petitioner is ready to keep the informant with him, his bail bond shall be confirmed, otherwise, the Court is free to pass any other order as it may deem fit and proper.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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