

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10021 of 2019

Arising Out of PS. Case No.-1178 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Banhu Ram, Son of Sri Bhutti Ram, Resident of village Sonvarsha, p.s-
Gopalpur, Dist-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi, Wife of Sri Banhu Ram, Resident of village Sonvarsha, p.s-
Gopalpur, Dist-West Champaran, At Present, Daughter of Sri Bhargasan Ram,
Resident of village- Gamhariya Gahiri, P.S.-Nautan, District-West
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1178 of 2017 (S.C. No.

1290 of 2018), disclosing offences under Section 498A of the

Indian Penal Code and Section 4 of Dowry Prohibition Act.

Case is under Section 498-A of the IPC with an
allegation of demand and torture to the complainant-wife.

On appearance of the opposite party no. 2, the matter
was referred to the Patna High Court Mediation &
Reconciliation Center, vide order dated 25.04.2019. The report
of Mediator is available on record at Flag “M” which disclosed
that mediator has fixed dates on three times, but petitioner did
not choose to appear before the mediation center and as such,



mediation failed. However, there is a submission on behalf of the petitioner that order could not be communicated to the petitioner.

Heard learned APP and learned counsel for the opposite party no.2 also.

In such view of the matter, let the petitioner, above named, surrender before the learned court below on 31.07.2019 and on condition that if he is ready to pay Rs.3000/- per month to the opposite party no.2 for a period of one year and it is expected that during that period, the opposite party no.2 shall approach the Family Court for grant of maintenance, the petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Sub- Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Complaint Case No. 1178 of 2017 (S.C. No. 1290 of 2018), subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-



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