

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11402 of 2019

Arising Out of PS. Case No.-116 Year-2017 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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BANTI PRASAD @ BANTI KUMAR Son Rajendra Prasad Resident of
Village -New Etwarpur, Ram Janki Path, P.S-Parsa, Dist-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Labhali Devi Wife of Banti Prasad Resident of Village - New Etwarpur,
Ram Janki Path, P.S.- Parsa, Distt.- Patna At present Resident of Bandhi
Sangat, Pulpar,

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Neerad Parashar
For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 29-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.116(C) of 2017 registered for offences punishable under Sections 323, 406, 498(A) and 34 of the Indian Penal Code.

Allegation against the petitioner is that after marriage she was subjected to torture and harassment and her ornaments were snatched, which was informed by the complainant to her parents, on which a *panchayati* was also organized but the petitioner again demanded money for purchase of plot and she any how remained there but the accused persons tried to set her on fire and after hue and cry, her father was informed, thereafter



her father took her to his house and the petitioner is not ready to take her.

Submission of the learned counsel for the petitioner is that all the allegations are false and concocted and he is ready for one time settlement .

Heard learned counsel for the complainant, who has opposed the prayer for bail drawing my attention towards order dated 26.2.2019 passed in the instant case, which shows that the submission has been made by the learned counsel for the petitioner that the petitioner is ready to keep O.P.no.2 with full dignity and care, notice was issued to O.P.no.2 and thereafter O.P.No.2 appeared and wants to reside with the petitioner, if she is allowed to live with dignity and care but now differing with his earlier statement, he wants one time settlement..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, if the petitioner surrenders on 14.5.2019 before the learned court below and on that day O.P.no2 will also remain present, the learned court below will try to take steps for meditation between the parties and he may release the petitioner on provisional bail for some time in connection with Complaint



Case No.116(c) of 2017, and further the final order will be passed considering the materials and conduct of both the parties in the mediation proceeding .

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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