

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22199 of 2019**

Arising Out of PS. Case No.-326 Year-2018 Thana- PATNA CITY CHOWK District- Patna

Sunny Kumar, Son of Kashi Nath Yadav Resident of Village - Tathagat Nagar,
P.S.- Malsalami, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

6 20-11-2019 Heard learned counsels for the petitioner and the State.

However, none appears on behalf of the informant.

The petitioner, being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323 and 379/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant was married with the petitioner in the year 2014, but subsequent to the marriage, further dowry demand of Rs. 10 lacs was made and due to non-fulfillment of the same, the informant was tortured, assaulted and ultimately driven out from the matrimonial house at the hands of all the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that no injury report of the informant is on record. It is further



submitted that the petitioner admits his marriage with the informant. The petitioner is still ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph no.19 of the petition, which reads as follows:-

“19. That even today petitioner is ready to keep her with all dignity either at the place where he is posted or at the native house of the petitioner, wherever she likes.”

Learned APP submits that the thrust of accusation is against the petitioner.

It appears that vide order dated 24.07.2019, the matter was referred to the Mediation and Conciliation Centre of Patna High Court Legal Services Committee. The report of the Mediator dated 09.09.2019, kept at flag- ‘C’ reflects that the dispute between the parties could not be resolved through the process of mediation.

Considering the nature of accusation and the present stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Addl. Chief Judicial Magistrate-II, Patna City in connection with Chauk P.S. Case No. 326 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

It is made clear that if the informant wants to resume the conjugal life and files such an application before the learned Court below then the learned Court below will issue notice to the petitioner when the petitioner shall be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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