

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26364 of 2019

Arising Out of PS. Case No.-429 Year-2018 Thana- RAMPUR District- Gaya

SATISH KUMAR @ SATISH YADAV Son of Surender Yadav Resident of Village- Kewala, Police Station- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Saroj Devi Wife of Satish Kumar @ Satish Yadav Resident of Village- Kewala, Police Station- Wazirganj, District- Gaya. at present daughter of Rameshwar Yadav, resident of Mohalla- Chiraiyatand, Police Station- Rampur, District- Gaya,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 04-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Rampur P.S.Case No.429 of 2018 registered for offences punishable under Sections 498(A) and 494 of the Indian Penal Code.

Allegation as per FIR is that the petitioner has taken huge amount from the father of the informant in his account though thereafter her husband was posted at Daltenganj . Even after five years, he has not given any expenses to her rather making allegation against her. He has also filed a petition under Section 9 of the Hindu Marriage Act but he never tried to keep her with dignity and care. Above application has also been dismissed.



There is also allegation of demand of Rs.10 lac and for that subjecting her to torture.

On appearance of the O.P.no.2, submission has been made by the learned counsel for the petitioner that he is still ready to keep O.P.no.2 with dignity and care, which will appear from order dated 5.7.2019 and later on the matter was referred to the District Mediation and Reconciliation Centre, Gaya and the mediator report clearly discloses that the O.P.no.2 is ready to reside with the petitioner . Petitioner is not ready to keep her and in such view of the matter mediation has failed.

Heard learned A.P.P. also.

Considering the conduct of the petitioner that on the one side he had filed an application under Section 9 of the Hindu Marriage Act for restitution of the conjugal right and on the other side he is not allowing the O.P.no.2 to reside with him even on his submission the matter was referred to the Mediation Centre but he refused to keep her .

Considering the above fact and conduct of the petitioner, I am not inclined to grant bail to the petitioner, hence, the provisional bail granted to the petitioner is recalled and this application is dismissed.

Let a copy of this order be sent to the court concerned at



once so that he may take necessary steps against the petitioner.

With the aforesaid direction, this application is
dismissed.

(Vinod Kumar Sinha, J)

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