

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31171 of 2019

Arising Out of PS. Case No.-1476 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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MINNAT Son of Md. Jahir @ Zahir Resident of Village-Kalianagar
(Gowaltoli), Police Station-Barsoi (O.P Kachna), District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mehjabi Khatoon W/o Minnat, D/o Mahtab Resident of Village-Kalianagar
(Gowaltoli) Police Station-Barsoi (O.P Kalhna), District-Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-11-2019 Heard the parties.

The petitioner seeks regular bail in connection with
Complaint Case No.1476 of 2017 registered for offences
punishable under Section 498 of the Indian PenalCode.

Case is under Section 498A of the IPC and petitioner
happens to be husband of the complainant. There is allegation
against the petitioner that she was tortured with respect to
demand of dowry. It appears that on appearance of the O.P.no.2,
the matter was referred to the Mediation Centre but it appears
that before the Mediation Centre, both parties have not appeared
on four successive dates.

Submission of the learned counsel for the petitioner is
that he is ready to keep her with dignity and care but at the same
time, he has not appeared before the Mediator on four
successive dates.



On the other hand the learned counsel for the O.P.no.2 has submitted that a maintenance case has been filed for grant of maintenance and an order has been passed for giving maintenance to the O.P.no.2, vide order dated 18.5.2019 but he is not paying maintenance and he is only interested in delaying tactics.

Heard learned A.P.P. also.

Considering the conduct of the petitioner, I am not inclined to grant bail to the petitioner and the provisional bail granted to the petitioner, vide order dated 5.8.2019 is withdrawn and the petitioner is directed to surrender before the learned court below and pray for regular bail and if he files an undertaking that he is ready to pay the maintenance amount to the O.P.no.2 continuously, the learned court below shall pass appropriate order while considering the prayer for bail of the petitioner.

Accordingly, with the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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