IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1410 of 2019

Arising Out of PS. Case No.-353 Year-2016 Thana- DARBHANGA COMPLAINT CASE District- Darbhanga

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Md. Abul Kaish son of Md. Isha, Resident of Village-Maina Rahika, P.S.-Manigachi, District-Darbhanga

... ... Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ginni Khatoon w/o Md. Abul Kaish Resident of Village-Rahika, P.s.-Manigachi, District-Darbhanga, at present of Village Chanour, P.s-Manigachi, District-Darbhanga

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Shambhu Nath Jha
For the Opposite Party/s : Mr.Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 22-01-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 353 of 2016, corresponding to trial no. 2823/2018 disclosing offences under Sections 498(A), 323, 341, 386, 379, 314, 307, 506 of the Indian Penal Code and Section ¾ of the Dowry Prohibition Act.

Allegation against the petitioner, who happens to be the husband of the informant/complainant, is of subjecting his wife to cruelty and harassment with respect to demand of dowry.

Submission of learned counsel for the petitioner is that he is still ready to keep the informant with himself, but she is not ready to live along with the petitioner.

Heard learned A.P.P. also.

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Having heard both sides, from the impugned order it appears that the learned court below has tried for mediation between the parties, but it appears that though petitioner said that he is ready to keep the informant but he has not taken her and making allegation against her that she refused to go with him after leaving the court room, in such view of the matter, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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