

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35579 of 2019

Arising Out of PS. Case No.-373 Year-2018 Thana- SAKRA District- Muzaffarpur

ANAND MOHAN Son of Vedanand Giri Resident of Mohalla - Magardahi,
Ward No. 15, P.S.- Samastipur, District - Samastipur. At present resident of
House No. 141, Surya Bihar, Sector 91, Faridabad.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Priyanka Kumari Daughter of Sunil Giri Resident of Village - Sakra
Faridapur, P.S.- Sakra, District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 22-10-2019 Petitioner seeks bail in anticipation of his arrest in
connection with Sakra P.S. Case No. 373 of 2018, registered for
the offences punishable under Section 498A, 323, 504, 377,
467, 468, 471, 383, 120(B)/34, of the Indian Penal Code and
Section 3/ 4 of Dowry Prohibition Act.

As per F.I.R. there is allegation against the petitioner
that she was subjected to severe cruelty and administered drugs
also in order to declare her mentally unsound and taken away
signature on blank paper. Her brother made complaint about the
same then he was also assaulted. Later on with respect to dowry
she was assaulted and ousted from the house.

Submission of the learned counsel for the petitioner is



that as a matter of fact, he is still ready to keep her with full dignity and care. Earlier both of them have filed a petition under Section 13 B of the Hindu Marriage Act for divorce on mutual consent. But later on the present case has been filed, petitioner is still ready to keep her with full dignity and care or to pay 1/3 of his salary to the informant as maintenance.

Nobody appeared on behalf of the O.P. No.2

Heard learned A.P.P. also.

On appearance of the opposite party No. 2, the matter was referred to the Patna High Court Mediation & Reconciliation Center, vide order dated 17.08.2019. The report of Mediator is available on record at Flag "P". But from perusal of the report it appears that due to disputes between the parties matter could not be resolved as such mediation failed.

In view of the facts as stated above this application is disposed of with direction to the petitioner that he surrender before the Court below within three weeks from receipt of the order and on surrender, he will be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned A.C.J.M., IV, Muzaffarpur, in connection with Sakra P.S. Case No. 373 of 2018, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C. If O.P. No. 2 (informant) appears before the learned Court below and shows her desires to reside with the petitioner or claims any maintenance as per submission made above the petitioner shall keep the informant with full dignity and care or to pay 1/3 of his salary as maintenance till the matter decided by any Family Court.

(Vinod Kumar Sinha, J)

T.Kr./-

U		T	
---	--	---	--

