

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39965 of 2019

Arising Out of PS. Case No.-498 Year-2018 Thana- BUXAR COMPLAINT CASE District-
Buxar

=====

NARENDRA RAI @ NARENDRA KUMAR RAI S/o Jay Prakash Narayan
Rai Resident of Village-Bhuwarampur, P.S.-Nonhara, District-Gazipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dr. Shashi Shekhar Kishore
For the Opposite Party/s : Mr.Ajit Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-11-2019

This application, for grant of anticipatory bail,
arises out of Complain Case No. 498 (C) of 2018, disclosing
offences under Sections 498A of the Indian Penal Code and
Section 3 /4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against the petitioner is of subjecting the
complainant to cruelty and torture with respect to non fulfilment
of demand of dowry.

It appears that on appearance of opposite party no. 2,
the matter was referred to Patna High Court Mediation and
Conciliation Center, Patna and the report of learned Mediator is
available on record, from which, it appears that the dispute
between the parties have been resolved through the process of



mediation on the terms and condition that both the parties will reside peacefully together and family members of both the parties will not interfere in the marital affairs of petitioner and complainant and petitioner will keep her with full honour and dignity and after six months, if their marital relationship is found good, they will approach the court below for withdrawal of cases filed against each other.

Learned counsel for the petitioner and learned counsel for the complainant are present and they have admitted the fact with regard to compromise. The only objection of the complainant is that she was taken by the petitioner but she has been kept by the petitioner at his parental house at Gajipur and not at Gujarat, where, he is working and she is not allowed to meet her children, who are also residing in Gujarat.

Heard learned A.P.P. also.

In such view of the matter, let petitioner surrender on 06.12.2019 and on that day opposite party no. 2 shall also remain present in the court below and the court below after being satisfied with their matrimonial life and as to whether opposite party no. 2 is being allowed to meet her children, he will release the petitioner on provisional bail for a period of one month and after expiry of one month, the court below will direct



for appearance of both the parties, on which, the both the parties have to appear in person and the court below will verify the marital relationship between the complainant and petitioner and enquire as to whether complainant is allowed to meet her children or not and only after being satisfied, the court below shall confirm the provisional bail of the petitioner otherwise, he is free to pass any order as he deems fit and proper including cancellation of provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

sunilkumar/-

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

