

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40665 of 2019

Arising Out of PS. Case No.-1033 Year-2018 Thana- COMPLAINT CASE District- Araria

PINKU SINGH Son of Late Jewach Lal Singh Resident of Village - Majheli,
Ward No. 8, P.S.- Ranipatra, District- Purnea

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nidhi Devi Wife of Pinku Singh Resident of Village - Kajra, Ward No. 11,
P.S.- Raniganj, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 17-10-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 1033C of 2018, disclosing offences under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Petitioner happens to husband of the complainant and allegation against him is of subjecting the complainant to torture with respect to demand of dowry.

Submission of learned counsel for the petitioner is that entire allegation is false and concocted and he is still ready to keep the complainant with full honour and dignity.

It appears that this court has earlier directed for personal appearance petitioner and opposite party no. 2 on 17.10.2019 vide order dated 26.09.2019. However, a submission has been made by



learned counsel for the petitioner that as the petitioner fell ill, he has not come today.

Heard learned A.P.P. also as well as learned counsel for the complainant. Learned counsel for the complainant has opposed the prayer for anticipatory bail and submitted that in spite of direction of the Court, petitioner has not appeared and it is nothing but a ploy to delay the disposal of the case and as a matter of fact, petitioner does not want to keep the complainant and he is enjoying the benefit of provisional bail

Having heard both sides, facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather this application is disposed of with direction to the petitioner to surrender in the court below on 07.11.2019 and on that date opposite party no. 2 – complainant shall also remain present and, thereafter, the petitioner will pray for grant of regular bail and the learned court below before passing the order on the bail application of the petitioner, will try to mediate between the parties as to whether they are ready to reside together and after considering the conduct of the parties, he will pass an appropriate order on the bail petition of the petitioner.

(Vinod Kumar Sinha, J)

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