

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41081 of 2019

Arising Out of PS. Case No.-1049 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ROHIT SINHA Son of Late Dilip Dhari Sinha Resident of Shah Mentior
Apartment, Flat No. 2, Near Tara Hospital, P.S.- Gandhi Maidan, District -
Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Chandni Kumari Wife of Rohit Sinha D/o Vinod Sinha, Resident of
Rajendra Nagar, Road No. 1, P.S.- Kadamkuan, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad Mr.Mukesh Kumar Jha
For the Complainant		Mrs. Nivedita Nirvikar Mr. Dhaneshwar
For the State	:	Mr.Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 498(A) of the Indian Penal Code,
including Section 4 of the Dowry Prohibition Act, registered in
connection with Complaint Case No. 1049 (C) of 2018.

3. Learned counsel for the petitioner submits that
number of cases have been filed by the complainant as narrated
in the supplementary affidavit in view of which there is little
chance of settlement between the parties. The petitioner himself
has also filed Matrimonial Case No. 1324 of 2018. As such the



petitioner expresses that he is not ready and willing to keep the complainant with him.

4. Learned counsel for the complainant submits that the complainant is ready to live with the petitioner, but he is not willing to keep her with due dignity and honour.

5. By order dated 03.07.2019, the dispute was referred to the Mediation Centre which failed by reason of non-cooperation and non-appearance of the petitioner, despite the matter being fixed on different dates.

6. It is submitted by the complainant that the petitioner did not meet his marital commitment and duty when the demand for dowry was not fulfilled.

7. This Court does not dispute that the petitioner fails to co-operate in the mediation proceeding where he completely failed to appear. He has also not offered any explanation about the circumstances which prevented him from doing so. The only proposal that he had offered for settlement, while refusing to keep the complainant, is that he would refund the money and the expenses incurred by the complainant at the time of marriage.

8. This Court is of the opinion that the petitioner has no intention of amicable settlement and clearly wants to avoid



his marital duty and commitment, taking shelter of the divorce case said to have been filed by the petitioner.

9. In such circumstances, the petitioner does not deserve the privilege of anticipatory bail. The petition accordingly stands dismissed.

(Vikash Jain, J)

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