

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63255 of 2018

Arising Out of PS. Case No.-370 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Anjani Tiwary @ Marutinandan Tiwari @ Maruti Nand Tiwari, Son of Babban Tiwari, Resident of Village- Parsiya, P.O. Mujrad, P.S. Nokha, District Rohtas at Sasaram.

... .. Petitioner

Versus

1. State Of Bihar
2. Puspa Devi wife of Anjani Tiwari @ Maruti Nandan Tiwari, D/o Ram Barai Choubey, Resident of Village- Parsiya, P.O. Mujrad, P.S. Nokha, District Rohtas at Sasaram. at present address Resident of Village- Karigai, P.O. Nauhatta, P.S. Belaon, District Kaimur at Bhabua.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 3 25-06-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 370 of 2018 lodged for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Earlier the matter was referred to the Patna High Court Mediation and Conciliation Centre vide order dated 30.11.2018. However, report of the Mediator shows that neither the petitioner nor the opposite party No.2 has appeared, as such the parties have no interest and hence the mediation failed.

Submission of learned counsel for the petitioner is that he could not appear because of the fact that his mother died



and he has no knowledge about the date fixed by the Mediator and he has submitted that he is still ready to keep opposite party No.2 with him.

None appears on behalf of opposite party No.2.

So far merit of the case is concerned, allegation against the petitioner is that he had not provided food to the opposite party No.2 and petitioner is of having sexual relationship with another lady and there was also allegation of demand of motorcycle and for that she was also assaulted and after snatching her ornaments they left the complainant.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, he may surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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