

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66637 of 2018

Arising Out of PS. Case No.-34 Year-2013 Thana- BABUBARHI District- Madhubani

Ramvinay Yadav Son of Late Awadhi Yadav Resident of Village-Jagnathpur,
P.S. Babubarahi, Dist.-Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Anita Devi W/o Ramvinay Yadav, Resident of Village-Jagnathpur, P.S. Babubarahi, Dist.-Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 17-06-2019 Heard.

The petitioner apprehends his arrest in connection with Babubarahi P.S. Case No.34 of 2013 registered under Sections 341, 323, 498(A) and 494 of the Indian Penal Code besides Sections 3/4 of the D.P. Act, pending in the court of Shri Vikash Jha, Judicial Magistrate, First Class, Madhubani.

The accusation is of torturing the opposite party no.2 by her husband (petitioner) and other in-laws for non-fulfillment of the dowry demand and also performing re-marriage by the petitioner and removing the opposite party no.2 from the matrimonial house.

Learned counsel for the petitioner submits that, admittedly, the marriage of the opposite party no.2 was performed with the petitioner but there was no issue due to their wedlock.



While the petitioner performed his re-marriage with the consent of the opposite party no.2 but, later on, the opposite party no.2 lodged the present case. While on the joint prayer, earlier, the matter was referred to the Patna High Court Mediation Centre, Patna, for mediation and settlement of the dispute in between the petitioner and the opposite party no.2, who are husband and wife, but the matter could not be settled there in between them, which would appear from the report dated 19.04.2019 of the Mediator, Patna High Court Mediation Centre, Patna.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within six weeks from today and pray for regular bail, which shall be considered by the trial court on its own merit, in accordance with law, without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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