

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63890 of 2018

Arising Out of PS. Case No.-359 Year-2017 Thana- SAHEBGANJ District- Muzaffarpur

-
1. Ranjeet Kunwar @ Ranjeet Kumar and Ors Son of Basant Kunwar,
 2. Basant Kunwar, Son of Late Gena Kunwar and
 3. Usha Devi, Wife of Basant Kunwar, All resident of Village- Daha Chhapra, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Pinki Devi, Wife of Ranjeet Kunwar @ Ranjeet Kumar, Presently residing with her father Bachcha Singh, at Village- Jahura, P.S.- Sahebganj, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr. Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-01-2019 Heard learned counsels for the parties.

The petitioner no. 1 being the husband of the informant and petitioner nos. 2 and 3 being the parents of petitioner no. 1 are apprehending arrest in a case registered for the offences punishable under sections 341,323,315,504 and 498A/34 of the IPC.

The prosecution case as per the written report of Pinki Devi submitted to the SHO, Sahebganj Police Station is to the effect that the informant's marriage was performed in the year 2007 with petitioner no. 1. For 2-3 months the informant was kept with dignity but thereafter further dowry demand of motorcycle was made and due to non-fulfillment of



the same, torture was inflicted upon her. On 7.12.2017, the accused persons tried to kill her by causing burn injury, as a result, the pregnancy of the informant got terminated. It is alleged that she was being driven out from the matrimonial house after snatching her jewellery and other belongings.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph 8 of the petition which reads as follows:

“That the petitioner no. 1 always ready to keep informant as wife with dignity and honour but she is not ready for the reason best known to her and once there was talk of one time settlement but soon thereafter informant changed her mind at the instance of her father and brother but petitioner is still ready for settlement.”

It is further submitted that there is no issue out of the wedlock. However, the petitioner is still ready to settle the issue either in terms of keeping the informant as wife with full dignity and honour or on payment of one time settlement amount.

Learned counsel for the informant submits that the



informant is ready for either of the option to be exercised during mediation.

Considering the present stand of the parties, let the petitioner no. 1 above named be released on provisional anticipatory bail for six months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM Ist, West, Muzaffarpur in connection with Sahebganj P.S. Case No. 359 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

Let the learned court below make efforts to mediate the issue and on resolution of the issue, the learned court below will confirm the provisional anticipatory bail of petitioner no. 1.

So far as petitioner nos. 2 and 3 are concerned, since they are parents of petitioner no.1 and they are also ready to cooperate in the resolution of issue, let the petitioner nos. 2 and 3 above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM



Ist, West, Muzaffarpur in connection with the aforementioned case subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

