

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62089 of 2019

Arising Out of PS. Case No.-307 Year-2018 Thana- GAYA MUFASIL District- Gaya

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AJAY KUMAR Son of Radhe Shyam Yadav Resident of Village-Kaladwar,
P.S-Ichak, District-Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sijam Kumari Wife of Ajay Kumar D/O Anil Kumar Nirala, Resident of Mohalla-Mahabir Nagar, P.S.-Muffasil, District-Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha

For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-12-2019 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Muffasil P.S. Case No. 307 of 2018 for the offence registered
under Section 498(A)/34 of the Indian Penal Code and Sections 3/4
of the Dowry Prohibition Act.

The allegation is regarding the petitioner, who happens
to be the husband of the informant having tortured the victim lady
on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner submits that the
petitioner is willing to keep his wife with full dignity and honour
and despite the notice having been issued by this Court to the
opposite party no. 2 and its valid service, she has not appeared



before this Court, hence this Court may consider granting protection to the petitioner. It is further submitted that the petitioner is innocent and he has a clean antecedent.

Having considered the facts and circumstances of the case, I deem it fit and proper to direct the petitioner, above named, to surrender before the court below within a period of four weeks from today whereupon the learned court below shall, immediately on the very same day, grant bail to the petitioner herein subject to such conditions as may be imposed by the learned court below in connection with Muffasil P.S. Case No. 307 of 2018 and thereafter shall try to settle the matrimonial dispute in between the husband and the wife by the process of mediation.

It is needless to state that in case mediation fails and the petitioner is found not inclined to keep his wife, the informant i.e. the wife of the petitioner would be free to approach this Court for cancellation of the aforesaid privilege of bail having been granted to the petitioner herein.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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