

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74863 of 2018

Arising Out of PS. Case No.-493 Year-2017 Thana- COMPLAINT CASE District- Banka

Dinkar Kumar @ Dinkar Maharaj S/o Ram Balak Maharaj, Resident of
Village- Parora, Police Station- Sahabpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Puja Devi, W/o Dinkar Maharaj, D/o Shambhu Rai, R/o Village- Jamdaha
Tola Khonatikar, P.S.- Katoria, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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

ORAL ORDER

7 15-07-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the opposite party
no.2.

The petitioner apprehends his arrest in connection with
Complaint Case No.493 of 2017 registered under Sections 341, 323,
379, 498A and 494 of the Indian Penal Code, pending in the court of
the Sub Divisional Judicial Magistrate, Banka.

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 of cash Rs.5,00,000/- and removing the opposite
party no.2 from her matrimonial house by snatching her personal
belongings.

Learned counsel appearing on behalf of the petitioner



submits that, earlier, on the joint prayer, 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 in between them there.

On the other hand, learned counsel for the opposite party no.2 submits that since the petitioner has already performed his re-marriage, due to that reason, the opposite party no.2 expressed her desire for one time settlement on payment of Rs.5,00,000/- by the petitioner to her but the petitioner is ready to pay Rs.3,00,000/- to the opposite party no.2.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, 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 four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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