

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47645 of 2019

Arising Out of PS. Case No.-249 Year-2019 Thana- CHIRAIYA District- East Champaran
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SANTOSH KUMAR Son of Late Lalbabu Singh Resident of Village - Shitalpatti (Bara), P.S.- Chiraiya, Distt - East Champaran.

... .. Petitioner

Versus

- 1. THE STATE OF BIHAR Bihar
- 2. Reshmi Kumari D/o Raj Mangal Singh Resident of Village - Basantpur, P.S.- Kundwachainpur, Distt - East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 12-06-2020 The petitioner is the husband, who seeks bail

in anticipation of his arrest in connection with Chiraiya

P.S. Case No. 249 of 2019 dated 23.05.2019 instituted

for the offences under Sections 341, 323, 498(A)/34 of

the Indian Penal Code and Sections 3/4 of the Dowry

Prohibition Act..

It appears from the records of the case that the

matter was earlier referred to Patna High Court

Mediation and Conciliation Centre, Patna. The mediation

report is also available on record. It appears that there



was no positive outcome of the mediation.

Counsel for the petitioner submits that the opposite party no. 2 is not willing to reside in her matrimonial home and therefore the mediation did not succeed.

In any view of the matter, I am not inclined to continue with the anticipatory bail petition.

This petition for grant of anticipatory bail is rejected.

However, if the petitioner surrenders before the court below within a period of six weeks and gives an undertaking that he is ready and willing to live with his wife and accord her all dignity to which she is entitled, the court below shall grant provisional bail to the petitioner and shall issue notice to the opposite party no. 2.

If the court below finally finds that matrimonial relationship has not been restored at the instance of the opposite party no. 2 / wife without any appropriate



reason, he shall confirm the bail of the petitioner.

The petition stands disposed of with aforesaid
observation.

(Ashutosh Kumar, J)

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