

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50982 of 2019

Arising Out of PS. Case No.-432 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

=====

Dwarika Yadav, Son of Bishun Yadav Resident of Bhelaura Tola @ Simariya
Tola, P.S.- Fatehpur, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Kumari W/O Dwarika Yadav D/O Ram Bichh Yadav , R/o- Bhelaura
Tola @ Simariya Tola, P.S.- Fatehpur, District- Gaya. At present R/o- Vill.-
Dhumri Chatti, P.S.- Fatehpur, District- Gaya

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party/s	:	Mr. Nand Kumar, APP
For the Informant	:	Mr. Sanjay Kumar Sharma, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 22-06-2020 Heard Mr. Sheikh Arkan Ahmad, learned
counsel for the petitioner and Mr. Sanjay Kumar Sharma
for the informant/opposite party no. 2. The State is
represented by the learned APP.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 432 of
2018, Trial No. 3382 of 2018, in which cognizance has
been taken under Sections 498(A) and Section 4 of the
Dowry Prohibition Act.

It appears that the petitioner, though, made a
claim in the bail petition that he is ready and willing to
keep his wife with full dignity and honour, but he
developed a cold feet when the mediation between the



spouses commenced.

Learned counsel appearing for the informant has stated at the bar that the petitioner has married again during the subsistence of his marriage with opposite party no. 2 and has also a child from the said wedlock. Despite this, the opposite party no. 2 was willing to sit across the table and settle the matrimonial dispute in an alternative way *i.e.* for maintenance and peaceful/amicable parting of ways.

However, the petitioner did not present himself in the mediation proceedings. Today also the learned counsel for the petitioner insists that he is ready and willing to keep his wife with full honour and dignity.

This appears to be an empty promise.

For this reason, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall consider such application on its own merits without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

