

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51170 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- FATEHPUR District- Kishanganj

Lalit Kumar Singh Son of Ramlal Singh Resident of Village- Bairiya, P.S.-
Fatehpur, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rukmini Kumari Wife of Lalit Kumar Singh, Daughter of Nirmal Kumar Mandal Resident of Village- Bairiya, P.S.- Fatehpur, District- Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 05-03-2020 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Fatehpur P.S. Case No.10 of 2019 registered for the offence under sections 323, 379 and 498A of the Indian Penal Code and section 3/4 of the D.P. Act.

As per allegation in the F.I.R, the informant was married to the petitioner on 11.06.2018 but soon thereafter the accused persons started to misbehave. It is stated that on 30.04.2019 the accused persons beat her up and ousted her, telling that she would be permitted in the house only if she got Rs.5 lacs in



cash and a motorcycle from her parents place. It is further stated that they took away silver ornaments from her neck.

It is submitted by learned counsel for the petitioner that from reading of the F.I.R. it would transpire that the allegations are general and omnibus in nature and it was the informant who was pressurizing the petitioner to live separately along with her and on the petitioner not agreeing, the instant case has been lodged with false allegations.

It is submitted by learned counsel for the informant that the allegations as narrated in the F.I.R are true and it was the informant who was always ready to go and live with the petitioner. It is as a result of which that pursuant to the order dated 19.2.2020, the opposite party no.2 appeared with her bag and baggage in the Patna High Court Mediation Centre on 25.2.2020 at 1.30 pm but the petitioner did not reach there and as such the opposite party no.2 had to return.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties, it transpires that the petitioner happens to be the husband of the informant and although in paragraph 13 of the petition it is stated that he is willing to keep the opposite party no.2 with



dignity and honour, however, inspite of the direction of this Court to appear on 25.2.2020, he chose not to appear in the Patna High Court Mediation Centre which is evident from the report dated 3.3.2020 of the Mediator.

In view of the facts and circumstances of the case together with the direct allegations as levelled against this petitioner this Court is not inclined to enlarge the petitioner on anticipatory bail and as such his application for anticipatory bail is rejected.

Accordingly, the provisional bail granted to the petitioner by order dated 17.08.2019 stands cancelled and he is directed to surrender before the Court below within four weeks.

(Partha Sarthy, J)

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