

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75831 of 2019

Arising Out of PS. Case No.-340 Year-2018 Thana- BAKHARI District- Begusarai

Md. Inam @ Inamul Haque Son of Md. Mustakim Resident of Village -
Chakhamid, P.S. - Bakhari, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Wajahat Tabassum W/o Md. Inam @ Inamul Haque, Resident of village –
Chakhamid, P.S. Bakhri, District – Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-06-2020 The matter has been taken up through virtual Court proceeding.

Heard Mr. learned counsel for the petitioner, learned counsel appearing for the informant-opposite party no. 2 and learned APP for the State.

The present application has been preferred on behalf of the petitioner for grant of bail in connection with a case registered for the offences punishable under Sections 341, 323, 504 and 498A of the Indian Penal Code.

It appears that vide order dated 18.12.2019 passed by Co-ordinate bench of this Court, the petitioner was granted provisional bail and on the joint prayer of the parties, the matter was referred to the Mediation and Conciliation Centre of the Patna High Court. However, the report of the Mediator is not on



record as due to the present pandemic, the issue could not be finally mediated, hence, the matter is heard on merits on joint prayer of the parties.

The prosecution case, as per the written report of Wajahat Tabassum submitted to the Station House Officer, Bakhri Police Station, is to the effect that the marriage between the petitioner and the informant was performed on 25.12.2010 but after some time, torture was inflicted upon the informant for non-fulfillment of further dowry demand of Rs.Two lakhs. The informant was subjected to assault, leading to registration of the case.

It is submitted by learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour but statement to that effect has not been made in the petition. During mediation, the informant was ready to resume the conjugal life but after some time she did not agree to resume the conjugal life whereas the petitioner is still ready to keep the informant as wife with full dignity and honour.

Learned counsel for the informant submits that due to the lapses on the part of the petitioner, the informant has not resumed the conjugal life.

Both sides agree to appear before the learned Court



below on 30th of July, 2020 when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, the provisional bail granted to the petitioner vide order dated 18.12.2019 is further extended till 17th of August, 2020 in connection with Bakhari P.S. Case No. 340 of 2018, pending in the Court of learned Chief Judicial Magistrate, Begusarai.

The provisional bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) if the matrimonial harmony is substantially restored, or (ii) if the informant fails to appear before the learned Court below, or (iii) if the informant gets reluctant to reconcile the issue.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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