

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60956 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- SAHPUR District- Patna

SONU SINGH @ SONU KUMAR S/o Lal Babu Singh R/v- Damodarpur,
Bhojpatti, Hajipur, P.S.- Town, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kumari Sweta Singh D/o- Umesh Narayan Singh, W/o Sri Sonu Singh R/v-
Defence Colony, Army Area, P.S.- Sahpur, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 06-09-2021 Heard Mr. Vijay Kumar Sinha, learned Advocate
for the petitioner and Ms. Kumari Sweta Singh, learned
APP for the State.

Nobody has appeared on behalf of opposite
party no. 2.

The petitioner seeks bail in anticipation of his
arrest in connection with Sahpur P.S. Case No. 187 of
2019 dated 12.05.2019 instituted for the offences under
Sections 341, 323, 504, 307, 498A and 494 of the
Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act.

It appears from the records that the matter was
referred to the mediation centre for
reconciliation/mediation between the spouses.



The report of the mediator has been received.
The mediation process has failed.

In the counter affidavit, it has been stated that the statement made by the petitioner that he wants to keep his wife with love and dignity is just an empty and a hollow assertion.

Before the Mahila police station, the petitioner had flatly denied to keep opposite party no. 2 in her matrimonial home.

In the counter affidavit, details of the financial assets of the petitioner has also been stated. The father of the informant has died and she is today without any resources to fend for herself.

Under such circumstances, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

In case the petitioner surrenders before the court below with a detailed plan of either restoration of conjugal rights or for a mutually agreed one time maintenance of opposite party no. 2, the court below may consider granting provisional bail to the petitioner and also simultaneously issuing notice to opposite party no. 2. If the opposite party no. 2 is agreeable for anyone of the proposals, if made by the petitioner, final order



shall be passed in accordance with law.

With the aforesaid direction/observation, the application stands disposed off.

(Ashutosh Kumar, J)

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