

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69352 of 2019

Arising Out of PS. Case No.-389 Year-2018 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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AMIT KUMAR Son of Rajmani Yadav Resident of Village - Laxminiya, P.S.-
Maheshkhunt, Distt - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sunita Devi @ Nitu Wife of Amit Kumar Resident of Village - Laxminiya,
P.S.- Maheshkhunt, Distt - Khagaria. At present D/o Ratilal Yadav, Village -
Bahuara, P.S.- Bakhri, Distt - Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 26-10-2021 Heard the learned counsel for the parties.

The petitioner apprehends his arrest for the offences alleged under Sections 498A and 323 of the Indian Penal Code as well as Section 3/4 of the Dowry Prohibition Act, registered in connection with Complaint Case No. 389C/2018.

The complainant Sunita Devi @ Nitu lodged a complaint against the petitioner, who is the husband, alleging therein that her marriage was solemnized with the petitioner on 17th June, 2010. The petitioner tortured her for non-fulfilment of demand of dowry.

Learned counsel for the petitioner has submitted that he is ready to keep the victim with full dignity and honour. He has also submitted that the complainant has implicated only the petitioner and not the parents-in-law as they were in favour of the complainant.



The said fact was controverted by learned counsel for the opposite party no.2. She has submitted that the matter was referred to the Mediation Centre, but due to non-cooperation of the petitioner the mediation could not succeed.

It is an admitted fact that the petitioner has already filed Divorce Case No. 54/2018 against opposite party no.2 and he is playing the duel game and stating that he is ready to keep opposite party no.2 with full dignity and respect and this fact is far from the truth.

Almost two years ago, coercive step in respect of the petitioner was stayed, but still amicable settlement could not be reached between the parties. It is a peculiar case in which parents-in-law of the victim are not in favour of their son, rather they are in favour of opposite party no.2. It appears that due to apathy of the petitioner, the mediation could not succeed. Accordingly, he is directed to surrender before the court below and make a prayer for regular bail. The anticipatory bail petition is hereby rejected.

(Nawneet Kumar Pandey, J)

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