

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72755 of 2019

Arising Out of PS. Case No.-207 Year-2018 Thana- SAHIYARA District- Sitamarhi

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1. Satish Kumar, male, aged about 28 years, Son of Kapildeo Singh
 2. Kapildeo Singh, male, aged about 32 years, Son of Ramdayal Singh
 3. Sangita Devi, female, aged about 65 years, Wife of Kapildeo Singh
- All are resident of Village- Adhkhani, P.S.- Parihar, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rita Kumari, female, Wife of Satish Kumar and Daughter of Sri Ramchandra Singh, presently resident of Village- Shahpur, P.S.- Sahiyara, Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the O.P. No. 2 : Mr. Sheo Kumar Prasad, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

7 01-09-2021 Heard Mr. Pushpendra Kumar Singh, the learned Advocate for the petitioner and Mr. Sheo Kumar Prasad, the counsel for the opposite party No. 2. The State is represented by the learned APP.

The petitioner, who is the husband of the opposite



party No. 2, seeks bail in anticipation of his arrest in connection with Sahiyara P.S. Case No. 207 of 2018, dated 24.11.2018, instituted for the offences under Sections 341, 323, 498(A), 494 and 34 of the Indian Penal Code.

The petitioner No. 1 is the husband of the opposite party No. 2, whereas the petitioner Nos. 2 and 3 are her father-in-law and mother-in-law respectively.

This case was heard on 18.12.2019, when a Bench of this Court referred the matter to the Patna High Court Mediation and Conciliation Centre for an amicable settlement of matrimonial dispute between the spouses. The petitioners till such time the proceedings would have continued, were granted interim relief.

The report of the learned Mediator indicates that the petitioner No. 1 did not present himself on any date before the Mediation Centre, but the opposite party No. 2 had always presented herself. It was for this reason that the mediation failed.

Under the aforesaid circumstances and looking at the accusation in the F.I.R., I am not inclined to grant



anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail of the petitioners is, accordingly, rejected. However, if they surrender before the Court below and seek bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application on their behalf has not been entertained by this Court.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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