

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 79197 of 2019

Arising Out of PS Case No.-22 Year-2019 Thana- MAHILA P.S. District- Rohtas

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Pankaj Kumar Gupta @ Pankaj Kumar @ Pankaj Kumar Sah, aged about 26 years, Male, Son of Jokhan Sah, resident of Village- Pakadi, PS- Rajpur, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari, Wife of Pankaj Kumar Gupta, Daughter of Binod Sah, Resident of Village- Ghordiha, PO- Srikhinda, PS Baghaila, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Tiwari, Advocate
For the State	:	Mr. Binod Kumar No. 3, APP
For the Opposite Party No. 2	:	Mr. Chhote Lal Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

6 27-01-2021 Heard Mr. Ajay Kumar Tiwari, learned counsel for the petitioner; Mr. Binod Kumar No. 3, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State and Mr. Chhote Lal Mishra, learned counsel for the opposite party no. 2.

2. The petitioner apprehends arrest in connection with Mahila PS Case No. 22 of 2019 dated 19.03.2019, instituted under Sections 341/323/307/498(A)/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, 1961.

3. The petitioner is the husband of opposite party no. 2 and mediation has failed, basically for the reason that though the opposite party no. 2 was ready to go and live in the



matrimonial home, the petitioner was not ready for the same.

4. After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the application with liberty to surrender before the Court below and pray for bail.

5. Having regard to the aforesaid, the application stands disposed off as withdrawn with liberty aforesaid.

6. If the petitioner surrenders before the Court below within four weeks from today and prays for bail, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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