

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86529 of 2019

Arising Out of PS. Case No.-11 Year-2017 Thana- EKANGARSARAI District- Nalanda

SANJAY KUMAR @ SANJAY PRASAD Son of Kamla Prasad Resident of Village - Shekhali, P.S.- Islampur, Distt.- Nalanda, At Present Posted as Lab Attendant in All India Institute of Medical Sciences, Patna, P.S.- Phulwarisharif, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Manita Kumari W/o Sanjay Kumar , D/o Bindu Prasad Resident of Village - Kudwapar, P.S.- Ekangarsarai, Distt.- Nalanda, At Present Posted as Constable, BMP-5, P.S.- Phulwarisharif, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the O.P. No. 2	:	Mr. Manohar Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

9 06-07-2021 Heard Mr. Vikram Deo Singh, learned Advocate for the petitioner and Mr. Manohar Prasad Singh for the opposite party no. 2. The State is represented by the learned APP.

The petitioner, who is the husband of opposite party no. 2, seeks bail in anticipation of his arrest in connection with Ekangarsarai P.S. Case No. 11 of 2017 dated 01.02.2017 instituted for the offences under Sections 498A, 341, 323, 504/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

On the statement of the parties that negotiations between the spouses are going on, the



petitioner was granted provisional bail. However, today this Court has been informed that it is not possible to continue with the negotiations for rapprochement between the spouses.

In that view of the matter, this petition for anticipatory bail is dismissed.

This petition is being disposed off with a direction that in case if the petitioner surrenders before the court below, it shall take into account the entire circumstances including the fact that the opposite party no. 2 has filed an application for divorce and that the petitioner is ready for an alternative settlement of dispute, if opposite party no. 2 is not agreeable for returning to her matrimonial fold and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

The petition stands disposed off.

(Ashutosh Kumar, J)

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