

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26411 of 2020

Arising Out of PS. Case No.-219 Year-2019 Thana- JHAJHA District- Jamui

RAJESH PRASAD BURNWAL Son of Late Damodar Prasad Burnwal
Resident of Hadhadiya Pul, Deoghar, P.S. Deoghar, District Deoghar
(Jharkhand).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Renu Devi Daughter of Naresh Prasad Burnwal Resident of Purani Bajar,
P.S. - Jhajha, District Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Akbar Ali, APP
		Mr. Achal Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

13 17-02-2022 Heard Mr. Pankaj Kumar Sinha, learned
Advocate for the petitioner and Mr. Achal Kumar Sinha
for the informant/opposite party no. 2. The State is
represented by Mr. Akbar Ali, learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Jhajha P.S. Case No. 219 of
2019 dated 03.08.2019 instituted for the offences under
Sections 341, 342, 323, 506, 504/34 and 498-A of the
Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act, 1961.



By order dated 03.02.2021, the matter was referred to the Mediation Centre of Patna High Court for an effective settlement of dispute between the spouses.

However, the Mediator has reported that the dispute between the spouses could not be resolved.

The learned counsel for the petitioner has submitted that according to his instruction, the opposite party no. 2 has already married somebody and is leading a happy married life. She is not interested in pursuing this case.

There is practically no response on this statement by the learned Advocate appearing for opposite party no. 2. He has only intimated this Court that opposite party no. 2 is not ready to reside with the petitioner as her betrothed husband.

In any view of the matter, the provisional bail granted to the petitioner is being confirmed with the condition that in case any matrimonial dues of opposite party no. 2 is pending, that shall be paid by the



petitioner forthwith. Any failure of the petitioner to fulfill his obligation would render this bail liable to be cancelled at the instance of the opposite party no. 2.

The petition is allowed with the aforesaid condition.

The petitioner shall remain on the same bail bonds.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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