

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67718 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- DINARA District- Rohtas

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Amit Kumar S/O Girish Narayan Singh R/O Village- Chitaon, P.S- Dinara,
Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pammi Kumari W/O Amit Kumar And D/O Vijay Kumar Singh R/O
Village- Patadhi, P.S- Sheosagar, Distt.- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Ms.Asha Kumari, APP

Mr. Sanjay Kumar Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

7 20-08-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel appearing on
behalf of the O.P. No.2.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 323, 498A, 504, 506/34 of the IPC and Section 3/4 of
the Dowry Prohibition Act in connection with Dinara P.S. Case
No.230 of 2022.

3. The petitioner and the O.P. No.2 were directed to
remain physically present on 19.08.2024 by order dated



14.05.2024.

4. The case was taken up on 19.08.2024 when petitioner was present in the Court in compliance of the order dated 14.05.2024, but then O.P. No.2 for reasons best known was not present and a submission on behalf of the learned counsel appearing on behalf of the O.P. No.2 was made – that despite his best endeavours, he could not contact the O.P. No.2 nor the O.P. No.2 ever contacted him in between 14.05.2024 till 19.08.2024. It was further submitted that it may be a possibility that on account of ‘Rakhi’ the O.P. No.2 did not turn up, as such a pass over was sought.

5. Today when the case is taken up, the learned counsel appearing on behalf of the O.P. No.2 submits that he contacted the O.P. No.2 and informed her that her presence is required, but still she has not come.

6. The learned counsel appearing on behalf of the petitioner submits that petitioner being husband has been falsely implicated in the instant case by the informant. It is also submitted that petitioner is also willing to keep the O.P. No.2 with honour and dignity, further when the case was taken up on 08.05.2024, it was submitted on behalf of the informant that though mediation proceeding failed, but on intervention of well-



wishers the parties has decided to reside together and O.P. No.2 who is presently staying at her parental home is willing to accompany the petitioner to her matrimonial home from the court premises itself and the petitioner was even ready to take her back to her matrimonial home.

7. The learned counsel next submits that petitioner has also got the reservation of the O.P. No.2 done for taking her to Gujarat, but then for reason best known, the O.P. No.2 chose not to accompany. It is also submitted that since O.P. No.2 despite being aware that her presence is required is not coming to the Court that amply demonstrates that she is not interested in reviving her conjugal relationship.

8. The learned APP and the learned counsel appearing on behalf of the O.P. No.2 opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., II, Bikramganj in



connection with Dinara P.S. Case No.230 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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