

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4256 of 2020

Arising Out of PS. Case No.-314 Year-2019 Thana- BANIAPUR District- Saran

ABHAY KUMAR SINGH Son of Jai Krishna Singh Resident of Village -
Manikpura, P.S.- Baniyapur, Distt - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juhi Singh D/o Late Arun Singh, W/o Abhay Kumar Singh Resident of
Village - Rewari, P.S.- Kopa, Distt - Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-09-2020 The present petition has been taken up for consideration
through the mode of Video conferencing in view of the
prevailing situation on account of COVID 19 Pandemic,
requiring social distancing.

Heard the learned counsel for the petitioner and Mrs.
Anita Kumari Singh, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Baniyapur P.S. Case No. 314 of 2019 for the offence registered
under Sections 323, 498(A)/34 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

The marriage of the informant is stated to have been
solemnized with the petitioner herein on 26.07.2018 whereafter



the informant is stated to have gone to her matrimonial home, however, after sometime the accused persons including the petitioner herein started demanding huge sums of money by way of dowry and in default thereof the informant is stated to have been tortured.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner is ready to keep the informant with due honour and dignity.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case dairy, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of A.C.J.M.-XI, Chapra in connection with Baniyapur P.S. Case No. 314 of 2019, within a period of four weeks from today, whereupon the petitioner shall be admitted to the privilege of provisional bail on the very same day and then the learned court below shall issue notice to the complainant-wife and hold mediation



proceeding in between the petitioner and his wife with a view to settle the matrimonial disputes between them.

The learned court below is directed to take a final call with regard to either confirming the provisional bail to be granted to be petitioner or revoking the same subject to outcome of the mediation proceeding as also considering the case of the petitioner on merits, without being prejudiced by the dismissal of his anticipatory bail petition by the learned court below.

In the meantime, for a period of four weeks from today, no coercive steps shall be taken against the petitioner herein.

The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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