

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4229 of 2020

Arising Out of PS. Case No.-512 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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SUKHNANDAN PODDAR @ SUNIL PODDAR Son of Jaydeo Poddar
Resident of Village - Bhawanipur, Post office - Rangra, Police Station -
Naugachiya, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reena Kumari Daughter of Suresh Poddar Resident of P.N.C. Road,
krishnanagar Plot No. 24/B, Police Station - Chakari, District - kanpur -7.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-09-2020 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 Ms. Anita
Kumari Singh, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kotwali (Tilka Manjhi) P.S. Case No. 512 of 2019 for the
offence registered under Section 498(A) of the Indian Penal
Code and Sections 3/4 of the Dowry Prohibition Act.

The informant has alleged that her husband i.e. the
petitioner herein is impotent and he and his family members



have assaulted and tortured her on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he is having a clean antecedent and is ready and willing to keep his wife 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 C.J.M., Bhagalpur in connection with Kotwali (Tilka Manjhi) P.S. Case No. 512 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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