

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8445 of 2020

Arising Out of PS. Case No.-3421 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

BIRJ MOHAN MAHTO @ BRIJ MOHAN KUMAR S/o Raj Kumar Mahto
@ Karan Jee Resident of Village- Sahyado @ Chakjado, P.S.- Baligaon, Distt-
Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajani Kumari W/o Brij Mohan Mahto, D/o Manto Lal Mahto Presently
reside at Mohalla- BahalkhanaRoad, Alokpuri, P.O. Ramna, P.S.- Town,
Distt- Muzaffarpur, Pin No.842002

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha
For the Opposite Party/s : Mr.Satyavrat Verma

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-06-2020 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 petitioners and

Shri Satyavrat Verma, the learned A.P.P. appearing for the State.

The petitioners apprehend their arrest in

connection with Trial No. 1372 of 2019 arising out of

Complaint Case No. 3421 of 2018 for the offence punishable

under Sections 498A, 323, 379, 504, 506/34 of the Indian Penal

Code and Section 3/4 of Dowry Prohibition Act.



The case of the prosecution in brief is that the marriage of the complainant was solemnized with the petitioner in the year 2016 and sufficient gifts and various articles were given at the time of marriage, whereafter the complainant had gone to her matrimonial home, however, she was subsequently subjected to by different sorts of torture on account of demand for dowry and finally she was ousted from the matrimonial home by the accused persons including the petitioner herein, after snatching her belongings.

The learned counsel for the petitioner has submitted that the the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

At this juncture, learned counsel for the petitioner has submitted that the petitioner is ready to settle the matrimonial disputes and keep her wife with due honour and dignity.

Accordingly, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court below within a period of four weeks from today, whereupon he shall be granted provisional bail on the very same day by the



learned court of J.M. 1st Class, Muzaffarpur in connection with Trial No. 1372 of 2019 arising out of Complaint Case No. 3421 of 2018, whereafter the learned court below shall summon the wife and in due course engage the husband and wife in mediation proceedings as also make all endeavours to settle the matrimonial dispute in question. It is further directed that the learned court below shall, after receipt of the outcome of the mediation proceedings, take a final call with regard to either confirming the provisional bail to be granted to the petitioner herein or revoking the same by applying its own independent mind and without being prejudiced by its earlier order rejecting the prayer of the petitioner for grant of anticipatory bail.

It is needless to state that for a period of four weeks from today no coercive steps shall be taken against the petitioner herein.

The present petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

