

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8535 of 2020

Arising Out of PS. Case No.-2164 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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CHANDRADEO SHARMA S/o Late Raghunandan Sharma R/o village-
Hajipur, P.S.- Shahkund, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Kiran Devi D/o Shivnandan Prasad Sharma R/o village- Naya Tola,
Simariya, P.S.- Kajraili, District- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Swapnil Kumar Singh
For the Opposite Party/s :	Mr.Md. Ataur Rahman
	Ms. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 24-06-2020 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 petitioner, Sri Ajay Kumar Jha, the learned counsel for the informant and Ms. Anita Kumari Singh, the learned APP appearing for the State.

This is an application for grant of anticipatory bail in connection with Complaint Case No. 2164 of 2016 registered for the offence punishable under Sections 323/498 A of the Indian Penal Code and Section 3 /4 of the Dowry Prohibition



Act.

The accusation is regarding the petitioner, who is the husband of the complainant, having demanded dowry from the complainant and on account of non-fulfillment of the demand for dowry, the complainant is stated to have been beaten by the accused persons including the petitioner and thrown out of her matrimonial home.

The learned counsel for petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case, however, he is ready to settle the matrimonial dispute with his wife, hence, provisional bail be granted to him, subject to the result of the mediation proceedings.

The learned counsel for the informant has submitted that the complainant i.e. the wife of the petitioner herein is ready for mediation, however, the petitioner be put to strict terms.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the parties, 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 the learned court of S.D.J.M., Bhagalpur in connection with Complaint Case No. 2164 of 2016 shall grant provisional bail to the petitioner herein



on the very same day and would then issue notice to the wife of the petitioner and upon her appearance, the learned court below shall engage the petitioner and his 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, upon completion of the mediation proceedings, take a final call with regard to either confirming the provisional bail to be granted to the petitioner or revoking the same, taking into account the outcome of the mediation proceedings, as also applying independent mind, without being prejudiced by its earlier order, rejecting the prayer of the petitioner for grant of anticipatory bail.

The present petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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