

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14485 of 2020

Arising Out of PS. Case No.-1067 Year-2018 Thana- MUNGER COMPLAINT CASE
District- Munger

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RAKESH KUMAR Son of Vivekanand Paswan Resident of Mohalla - Gumti
No 7, Kanchangarh, P.S.- Safiyasarai, Distt.- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Bharti Wife of Rakesh Kumar D/o Ravindra Paswan, Resident of
Village - Janki Nagar, P.S.- Naya Ramnagar, Distt.- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan

For the Opposite Party/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2020 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.

Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Complaint case no. 1067C of 2018 registered

for the offences punishable under Sections 323, 307, 504,

498A of Indian Penal Code.

The case of the prosecution, according to the

informant namely Priya Bharti, which is based on a complaint

petition, is that her marriage was solemnized with the petitioner



herein on 14.08.2018 and huge amount of dowry was given during the course of the said marriage, whereafter she had gone to her in-laws' place, however subsequently, they used to abuse and harass her on account of non-fulfilment of the demand for dowry of Rs. 20 lacs. It is further submitted that finally, the informant was thrown out of her matrimonial house by the petitioner and others, after being badly assaulted.

The learned counsel for the petitioner has submitted that the petitioner is innocent, 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 his wife with due dignity and honour and for that purpose, he is ready to enter into mediation proceedings with his wife.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner is ready for mediation, I deem it fit and appropriate 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 S.D.J.M., Munger in connection with Complaint case no. 1067C of 2018, subject to such conditions as



may be deemed fit and proper to be imposed by the learned court below, and then the learned court below shall summon the informant and hold mediation proceedings in between the petitioner and the informant. It is further directed that after the mediation proceedings are over, the learned court below shall take a final call with regard to either confirming the provisional bail to be granted to the petitioner herein or revoking the same, depending upon the outcome of the mediation proceedings as also upon application of independent mind, without being prejudiced by the order passed by it earlier, rejecting the prayer of the petitioner for grant of anticipatory bail.

It is needless to state that in case, the petitioner does not surrender before the learned court below within a period of four weeks from today, the present petition for grant of anticipatory bail to the petitioner herein, shall be deemed to have been dismissed.

The petition stands disposed off with the aforesaid directions.

(Mohit Kumar Shah, J)

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