

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17226 of 2020

Arising Out of PS. Case No.-363 Year-2019 Thana- SONEPUR District- Saran

AMIT RAM S/O Deepnarayan Ram R/o village Rahimpur P.S. Sonepur,
District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Champa Devi Wife of Amit Ram, Daughter of Ramparikshan Ram R/o village Rahimpur P.S. Sonepur, District - Saran at Chapra, Presently residing at Village Muroutpur (Murpur), P.S. Awtarnagar, District - Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-09-2020 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 the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Sonepur P.S. Case No. 363 of 2019 registered for the offence punishable under Sections 341, 323, 379, 307, 498A and 504 of the Indian Penal Code.



The complainant has stated in her complaint petition that she was married with the petitioner in the year 2016, whereafter, she had gone to her in-laws' place, however subsequently, the petitioner and other accused persons started assaulting her on account of non-fulfillment of the demand for dowry i.e. pertaining to demand for a motorcycle. It is further alleged that the accused persons including the petitioner had tried to set her on fire after pouring kerosene oil, but somehow, she managed to escape and saved herself, whereafter, she came back to her parental home.

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

Per contra, the learned APP 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 Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 363 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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