

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14600 of 2020

Arising Out of PS. Case No.-262 Year-2019 Thana- CIVIL LINE District- Gaya

SHAKTI NANDAN PRASAD @ SHANKTI NANDAN PRASAD S/o Late
Heera Lal R/o Mohalla- Ramna Road, Loha Patti, P.S.- Civil Lines, District-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan
For the Opposite Party/s : Mr.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-07-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Rita Verma, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Civil Lines P.S. Case No. 262 of 2019 registered for the offence punishable under Sections 323, 341, 504, 506, 498(A) of the Indian Penal Code and Section 3 /4 of the Dowry Prohibition Act.



The case of the prosecution in brief is that the marriage of the informant was solemnized with the petitioner in the year 1993 and subsequently, three children were born out of the wedlock, who are now aged in between 17-23 years of age old. It is the allegation of the informant that her husband is inflicting cruelty upon her and is also demanding cash amount of Rs. 2,00,000/-.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and in fact, his wife is torturing the petitioner. It is also submitted that the petitioner is taking care of the three children and there is no contribution on behalf of the informant, hence, it is submitted that the petitioner should be granted the privilege of anticipatory bail, nonetheless, it is submitted that the petitioner is ready to settle the matrimonial disputes with his wife.

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 two weeks from today, whereupon he shall be granted provisional bail on the very same day by the learned court of C.J.M., Gaya in connection with Civil Lines P.S. Case No. 262 of 2019, 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 hold mediation proceeding in between the petitioner and his wife, for which purpose the learned court below shall issue notice to the wife of the petitioner and summon the wife. It is expected that the learned court below shall make all endeavour to settle the matrimonial dispute in question. It is further directed that after the conclusion of the mediation proceeding, the learned court below shall take a final call with regard to either confirming the provisional bail to be granted to the petitioner or revoking the same, depending on the outcome of the mediation proceedings as also upon application of its own independent mind on



the merits of the case, without being prejudiced by its earlier order rejecting the case of the petitioner for grant of anticipatory bail.

The petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

Ajay/-

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

