

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14172 of 2020

Arising Out of PS. Case No.-870 Year-2018 Thana- COMPLAINT CASE District- Banka

MANTU YADAV Son of Muneshwar Yadav Resident of Village-
Mochnavaran, P.S.- Katoriya, District- Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Lalita Devi W/o Mantu Yadav R/o Mochnavaran, P.S.- Katoriya, District-
Banka, At present D/o Suresh Prasad Yadav, R/o Village- Olhani, P.S. and
District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 08-09-2020 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 Shri Ram
Bachan Singh, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Banka Complaint Case No. 870 of 2018 for the offence
registered under Sections 498A, 379, 494, 504 and 506 of the
Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The case of the complainant in brief is that her marriage
was solemnized with the petitioner in the year 2012, according



to Hindu rites and rituals whereafter she had gone to her in-laws place and was living a happy conjugal life and a male child was also born out of the wedlock. However, after three years of marriage, the petitioner and his family members started demanding dowry and on account of non-fulfillment of the same, she was assaulted and ousted from the matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and 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 A.P.P. 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 S.D.J.M., Banka in connection with Banka Complaint Case No. 870 of 2018 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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