

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14071 of 2020

Arising Out of PS. Case No.-13 Year-2019 Thana- SIWAN COMPLAINT CASE District-
Siwan

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PAPU PRASAD S/o Shri Misri Bhagat Resident of Village- Sani Kudava,
P.S.- Badhariya, District- Siwan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ragni Devi W/o Papu Prasad, D/o Sanjay Prasad At present resident of
Village- Rauhda, P.S.- Badhariya, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-09-2020 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.

Heard the learned counsel for the petitioner and

Md. Shakir Ahmad, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Complaint case no. 13 of 2019 registered for

the offences punishable under Sections 498A and other allied

sections of Indian Penal Code and 3/4 of Dowry Prohibition

Act.

The marriage of the complainant is stated to have

been solemnized with the petitioner, however it is alleged that



on account of non-fulfilment of the demand for dowry, the petitioner and his family members had engaged in torturing and assaulting the complainant. It is alleged that subsequently, the complainant was ousted out of her matrimonial home.

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 and willing to keep his wife with due honour and dignity.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the fact that the petitioner is ready and willing to keep his wife with due honour and dignity, I deem it fit and appropriate to grant liberty to the petitioner to surrender before the learned court of S.D.J.M., Siwan in connection with Complaint case no. 13 of 2019 within a period of four weeks from today, whereupon he shall be granted provisional bail on the very same day and then the learned court below shall issue notice to the complainant-wife and engage both the petitioner and his wife in mediation proceedings with a view to settle the matrimonial disputes amongst them. It is further directed that the learned court below shall take a final



call with regard to either revoking the provisional bail to be granted to the petitioner herein or confirming the same, depending upon the final outcome of the mediation proceeding as also considering the merits of the case.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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