

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14713 of 2020

Arising Out of P.S. Case No.-22 Year-2019 Thana- MAHILA P.S. District- Samastipur

MURLI PASWAN @ MURALI PASWAN Son of Baldev Paswan @ Baldeo Paswan Resident of Village - Dharampur, Nistama, P.S. - Samastipur (Muffasil), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 07-07-2020 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 Sri Anand Mohan Prasad Mehta, APP, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Women P.S. Case No. 22 of 2019 registered for the offence punishable under Sections 313, 323, 324, 341, 379/34, 498A of the Indian Penal Code and Sections 3 /4 of the Dowry Prohibition Act.

The case of the prosecution in brief is that the



petitioner, who is the husband of the informant, is alleged to have brutally assaulted the informant on account of non-fulfillment of the demand for dowry.

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 to keep his wife with full dignity and honour and for the said purpose, he is ready to engage in mediation with the informant.

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 fact that the petitioner is ready to keep his wife with full dignity and honour, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of Judicial Magistrate-1 Class, Samastipur in connection with Women P.S.Case No. 22 of 2019 within a period of four weeks from today, whereupon the learned court below shall grant him provisional bail on the



very same day, subject to such conditions as may be deemed fit and proper to be imposed by the learned court below. It is further directed that thereafter, the learned court below shall summon the wife i.e. the informant of the present case and hold mediation proceedings in between the petitioner and his wife with a view to resolve and settle the matrimonial disputes amongst them. It is also directed that the learned court below, upon receipt of the outcome of the mediation proceedings and upon independent application of mind shall take a final call with regard to either confirming the provisional bail to be granted to the petitioner herein or revoking the same. It is needless to state that for a period of four weeks from today, no coercive steps shall be taken against the petitioner herein.

The present petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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