

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14435 of 2020

Arising Out of PS. Case No.-63 Year-2019 Thana- MAHILA PS District- Buxar

JITENDRA TIWARI Son of Kamlapati Tiwary Resident of Village-Suraundha, Police Station-Dumraon, District-Buxar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Madhuri Devi Daughter of Nand Kumar Mishra Resident of Village-Kritsagar, Police Station-Krishnabrahm, District-Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parijat Saurav

For the Opposite Party/s : Mr.Kanhaiya Kishore (App

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 29-06-2020 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 Buxar Mahila P.S. Case No. 63 of 2019 registered for the offence punishable under Sections 498A, 506, 379, 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.



The allegation is regarding the petitioner herein, who is the husband of the informant, namely, Madhuri Devi, having solemnized the marriage with her on 27.4.2018 as per Hindu Rites and Rituals, whereafter the informant is stated to have gone to her matrimonial home and in the marriage, huge sums of money, ornaments and gifts were given. It is further alleged that subsequently, the accused persons including the petitioner herein started demanding a bullet motorcycle and cash amount to the tune of Rs. 1,50,000/- by way of dowry and on account of non-fulfillment of such demand for dowry, the informant is alleged to have been locked in a room and no food was given to her as also she was tortured by the accused persons. The accused persons including the petitioner are stated to have then kicked out the victim lady, out of her matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It



is further submitted that the petitioner is ready to keep her wife with due dignity and honour and for the said purpose, he is ready to enter into a mediation with his wife.

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 due dignity and honour, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court below within a period of four weeks from today, whereupon the learned court of S.D.J.M., Buxar/ Successor Court in connection with Buxar Mahila P.S.Case No. 63 of 2019 shall grant provisional bail to the petitioner herein on the very same day, subject to such conditions as may be deemed fit and proper to be imposed by the learned court below and then it shall issue summons to the wife and hold mediation proceedings in between the petitioner and his wife so that the matrimonial disputes amongst them can be settled amicably.



It is further directed that depending on the outcome of the mediation proceedings, the learned court below shall take a final call with regard to either confirming the provisional bail to be granted to the petitioner herein or revoking the same, after applying independent mind to the facts and circumstances of the case.

The present petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

