

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14490 of 2020

Arising Out of PS. Case No.-703 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

SONU RAM S/o Nathuni Ram Resident of Village- Dumara, P.S.- Kotwa,
District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kavita Devi @ Babita Devi W/o Sonu Ram, d/o Badhai Ram R/o Village-
Madhubani, P.S.- Sangrampur, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2020 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.

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with complaint case no. C-703/2019 registered for
the offences punishable under Sections 323, 468A, 506 of
Indian Penal Code.

The case of the prosecution in brief is that the
marriage of the complainant namely Kavita Devi @ Babita was
solemnized with the petitioner on 03.06.2013 according to



Hindu rites and rituals and her father had given huge sums of gifts, cash and ornaments during the course of the said marriage, whereafter she had gone to her matrimonial home and was blessed with one daughter out of the said wedlock, however subsequently, the accused persons including the petitioner herein used to torture her and inflict cruelty upon her on account of non-fulfilment of the demand for dowry and had also tried to set her on fire on 29.03.2019, after pouring kerosene oil on her, however she somehow managed to escape and got herself treated at the P.H.C. Kotwa and Sadar Hospital, Motihari.

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 to keep his wife with due dignity and honour and no such incident, as narrated in the complaint petition by the complainant, had ever taken place. It is further submitted that the petitioner is ready to join mediation proceedings in order to settle the matrimonial disputes with his wife.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner



is ready for mediation, I deem it fit and appropriate to grant liberty to the petitioner to surrender before the learned court below within a period of four weeks from today, whereupon he shall be granted provisional bail on the very same day by the learned court of C.J.M. Motihari, East Champaran in connection with complaint case no. C-703/2019, 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 summon the complainant and hold mediation proceedings in between the petitioner and the complainant. It is further directed that after the mediation proceedings are over, 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 upon the outcome of the mediation proceedings as also upon application of independent mind, without being prejudiced by the order passed by it earlier, rejecting the prayer of the petitioner for grant of anticipatory bail.

It is needless to state that in case, the petitioner does not surrender before the learned court below within a period of four weeks from today, the present petition for grant of anticipatory bail to the petitioner herein, shall be deemed to have been dismissed.



The petition stands disposed off with the aforesaid
directions.

(Mohit Kumar Shah, J)

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