

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16972 of 2020**

Arising Out of PS. Case No.-107 Year-2019 Thana- LADANIA District- Madhubani

SUSHIL RAM Son of Yogendra Ram Resident of Village - Pathrahi, P.S.-  
Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Geeta Devi Wife of Sushil Ram Resident of Village - Pathrahi, P.S.-  
Ladaniya, District- Madhubani. At present D/O- Laxman Ram, Resident of  
Village - Pathalgarha, P.S.- Ladaniya, District- Madhubani

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gagan Deo Yadav  
For the Opposite Party/s : Mr.Meena Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      26-08-2020      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 appearing for the State.

This is an application for grant of anticipatory bail in connection with Ladaniya P.S.Case No. 107 of 2019 registered for the offence punishable under Sections 341, 323, 379, 498(A), 504/34 of the E.C.Act and Section 3/ 4 of the D.P.Act.



The case of the prosecution in brief, according to the informant, namely, Geeta Devi is that her marriage was solemnized with the petitioner herein 7 years back, whereafter they had gone to her in-laws place, however, her in-laws i.e. the accused persons including the petitioner herein started demanding a sum of Rs. 50,000/- for the purposes of purchase of a motorcycle and on account of non-fulfillment of the same, they used to beat her and lock her in the house. Subsequently, a girl child was born out of the wedlock and thereafter, the informant was ousted from her matrimonial home and then, she gave birth to a second girl child, however, her in-laws and the petitioner herein had refused to take care of the informant and the children. It is further alleged that the informant has been ousted from her matrimonial home on account of non-fulfillment of the demand for dowry and further, the accused persons including the petitioner herein, who is the husband of the informant, has engaged in inflicting cruelty upon the informant herein.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is ready to keep his wife and the children with due honour and dignity.

Per contra, the learned APP 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 fact that the petitioner is ready to keep his wife and children with due honour and dignity, I deem it fit and proper to direct the petitioner to surrender before the learned court below within a period of four weeks from today whereupon he shall be released on provisional bail by the learned court of A.C.J.M.-IV, Madhubani in connection with Ladaniya P.S. Case No. 107 of 2019 on the very same day and then, the learned court below shall issue notice to the complainant and in due course, hold mediation proceeding in between



the petitioner and the complainant-wife with a view to amicably settle the marital disputes amongst them. It is further directed that after conclusion 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, without being prejudiced by its earlier order rejecting the prayer of the petitioner for grant of anticipatory bail.

It is made clear that for a period of four weeks from today, no coercive action shall be taken against the petitioner herein.

The present petition stands disposed of with the aforesaid directions.

**(Mohit Kumar Shah, J)**

Ajay/-

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