

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17137 of 2020**

Arising Out of PS. Case No.-86 Year-2019 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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SANTOSH KUMAR SAH @ SANTOSH KUMAR SAHU Son of Pawan
Sahu Resident of Village - Daldal, P.S.- Bheja, Distt - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Kumari (Rubi Devi) D/o Lal Sahu @ Lasa Gupta, Wife of Santosh
Kumar Sahu @ Santosh Kumar Sah Resident of Village - Ansaur, P.S.-
Bahera, Distt - Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-09-2020 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 Sri

Syed Mojibur Rahman, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with complaint case no. 86 of 2019 registered for

the offences punishable under Sections 498A/34 of Indian Penal

Code and 3/4 of Dowry Prohibition Act.

The complainant has stated that her marriage was

solemnized with the petitioner on 23.11.2017 as per Hindu rites

and rituals and thereafter, she had gone to her in-laws' place,



however subsequently, the accused persons including the petitioner herein who is the husband of the complainant had tortured her on account of non-fulfilment of the demand for dowry and had finally, ousted her from 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 A.C.J.M., Benipur, Darbhanga in connection with complaint case no. 86 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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