

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16967 of 2020

Arising Out of PS. Case No.-1507 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

MD. GUFRAN ANSARI @ MD. GUFRAN S/o Late Lokman Ansari
Resident of Village- Dilgouri, Ward No.10, P.S.- Sultanganj, Distt- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Gunja W/o Md. Gufran Ansari, D/o Ahmed Ali Resident of Village- Dilghauri Ward No.10, P.S.- Sultanganj, Distt- Bhagalpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anita Kumari Singh

For the Opposite Party/s : Mr.Narsingh Tanti, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-07-2020 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 Ld. counsel for the petitioner and Mr. Narsingh Tanti, the Ld. APP appearing for the State.

This is an application for grant of anticipatory bail in connection with Complaint Case No. 1507 of 2018 registered for the offence punishable under Sections 498A, 323, 380 of the Indian Penal Code



and Sections 3 /4 of the Dowry Prohibition Act.

The case of the complainant in brief is that her marriage was solemnized with the petitioner in the year, 2007, whereupon two children were born out of the wedlock. It is further alleged that on 5.7.2018, while the petitioner was not at home, other accused persons had snatched her ornaments and cash, whereafter they had ousted her from the house. It is further the allegation of the complainant that the petitioner has thereafter been abusing and threatening the complainant and has failed to keep her with due respect and dignity on account of non-fulfillment of the demand for dowry.

The learned counsel for 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 and willing to keep his wife with due dignity and honor, as such, he is willing to join mediation proceedings with a view to settle the marital discord in between him



and his wife.

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 and willing to keep his wife and join mediation proceedings, I deem it fit and proper to dispose of the present petition with liberty to the petitioner to surrender before the learned court of Judicial Magistrate 1st Class, Bhagalpur in connection with Complaint Case No. 1507 of 2018 within a period of eight weeks from today, whereupon the petitioner shall be granted provisional bail on the very same day. It is further directed that the learned court below shall then issue summons to the complainant i.e. the wife of the petitioner herein and engage the petitioner and his wife in mediation proceedings as also make endeavors to settle the matrimonial disputes amongst the petitioner and his wife amicably. It is also directed



that after the mediation proceedings are over, the learned court below shall take a final call with regard to either revoking or confirming the privilege of provisional bail to be granted to the petitioner herein, considering the outcome of the mediation proceedings as also taking an independent view of the matter on the merits of the case.

It is needless to state that for a period of eight weeks from today, no coercive steps shall be taken against the petitioner herein.

The present petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

