

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17122 of 2020

Arising Out of PS. Case No.-31 Year-2018 Thana- MAHILA P.S. District- Vaishali

ASHOK KUMAR Son of Baleshwar Rai Resident of Village - Panapur, P.O.-
Sarai, P.S.- Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Khushbu Kumari Wife of Ashok Kumar Resident of Village - Panapur, P.O.-
Sarai, P.S.- Hajipur Sadar, District - Vaishali, Presently resides at village -
Pohiyar, P.S.- Sadei Buzurg (Desari), District - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

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
Shyam Kumar Singh, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Vaishali Mahila PS case no. 31 of 2018
registered for the offences punishable under Sections 498A,
494, 504, 506/34 of Indian Penal Code and 3/4 of Dowry
Prohibition Act.

The informant is stated to have solemnized
marriage with the petitioner on 19.06.2013 as per the Hindu



rites and rituals and at the time of marriage, huge sum of dowry was also given to the petitioner and his family members, however subsequently, when the petitioner got employment in the Railway service, the accused persons including the petitioner herein started demanding Scorpio vehicle by way of dowry and used to torture her on account of non-fulfilment of the said demand for dowry, whereafter they had ousted her from the 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 S.D.J.M., Vaishali at Hajipur in connection with Vaishali Mahila PS case no. 31 of 2018 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 proceedings 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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