

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16997 of 2020

Arising Out of PS. Case No.-934 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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SANTOSH RAY S/o Saryu Ray Resident of Village-Nawadih, Police Station-
Karamchat (Sabar), District-Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sangita Devi Wife of Santosh Ray Resident of Village-Nawadih, Police
Station-Karamchat, District-Kaimur (Bhabua).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-08-2020 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 Complaint Case No. 934 of
2019 registered for the offence punishable under
Section 498A of the Indian Penal Code.

The allegation is regarding the marriage of



the complainant having been solemnized with the petitioner 25 years back and the allegation levelled against the petitioner and other accused persons is regarding them engaging in inflicting cruelty upon the complainant. As far as the petitioner is concerned, it has also been alleged that he does not take proper care of the complainant and the children born out the aforesaid wedlock.

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 his 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 Judicial Magistrate, IInd Class, Kaimur at Bhabua in connection with Complaint Case No. 934 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 anticipatory bail of the petitioner herein.

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)

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