

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17065 of 2020

Arising Out of PS. Case No.-54 Year-2019 Thana- MAHILA PS District- Katihar

DEEPAK KUMAR PASWAN S/o Durga Paswan Resident of Mohallah-
Fasiya, Balu Tola Ward No.45, P.S.-Katihar (Town), District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushma Bharti Wife of Deepak Kumar Paswan, Daughter of Sunil Kumar Bharti Resident of Mohallah-Barmasiya Ward No.8, P.S.-Katihar, District-Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Suresh Prasad 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 Suresh Prasad Singh, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Mahila PS case no. 54 of 2019 registered for the offences punishable under Sections 498A and other allied sections of Indian Penal Code and 3/4 of Dowry Prohibition Act.

The marriage of the complainant is said to have taken place in the year 2018 with the petitioner herein according



to Hindu rites and rituals, whereafter the complainant is stated to have gone to her in-laws place, however subsequently, the petitioner herein started torturing her and finally ousted her and her child out of the matrimonial home after snatching all her jewelleryes.

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 and child 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., Katihar in connection with Mahila PS case no. 54 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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