

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18277 of 2020

Arising Out of PS. Case No.-915 Year-2019 Thana- TURKAULIYA District- East
Champaran

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PARMANAND PRASAD S/o Late Mukhlal Sah Resident of Village- Shankar
Saraiya Fateh Tola, P.S.- Turkauliya, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Umanath Mishra
Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard Ms. Rashmi Jha, the learned counsel for the petitioner and Mr. Ashok Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Turkauliya P.S. Case No. 915 of 2019, registered for the offence punishable under Sections 341, 323, 498A, 504, 34 of the Indian Penal Code, 1860.

The allegation is regarding the petitioner torturing and assaulting the informant-wife and their children after being



under the influence of liquor. It is alleged that the petitioner is a drug addict and drinks a lot of liquor whereafter he tortures his wife and children, hence, appropriate action be taken.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is having a clean antecedent and he is languishing in custody since 27.12.2019. Lastly, it is submitted that this Court may dispose of the present bail petition with a direction to the learned court below to grant provisional bail to the petitioner herein and mediate in between the parties, whereafter a final view may be taken by the learned court below with regard to either confirming the provisional bail or taking the petitioner into custody.

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 and considering the submissions advanced by the learned counsel for the petitioner, I deem it fit and proper to direct for release of the petitioner on provisional bail, subject to such conditions as may be deemed fit and proper to be imposed by the learned Chief Judicial Magistrate, East Champaran at



Motihari in connection with Turkauliya P.S. Case No. 915 of 2019, whereafter the learned court below is directed to mediate in between the petitioner and the informant, who are husband and wife, and make endeavours to settle the marital discord in between the petitioner and the informant.

The learned court below is further directed to do the needful within a period of three months from today, whereafter, depending upon the outcome of the proposed mediation in between the petitioner and his wife, this Court empowers the learned court below to take a decision with regard to either confirming the provisional bail, being granted to the petitioner herein or cancelling the same.

The present petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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