

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23906 of 2020

Arising Out of PS. Case No.-109 Year-2019 Thana- MIRGANJ District- Purnia

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PARWEJ ALAM S/o Md. Riyazul Resident of Village-Rangpura, P.S.-
Mirganj, District-Purnea.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Azida Khatoon D/o Md. Jammo Resident of Village-Rangpura South, P.S.-
Mirganj, District-Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-10-2020 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 Ms. Anita Kumari Singh, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Mirganj P.S. Case No. 109 of 2019 registered for the offence punishable under



Sections 341, 323, 504, 498A of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

The marriage of the informant was solemnized with the petitioner on 31.8.2008, whereafter, she had led a peaceful married life for some time, however, subsequently, the accused persons including the petitioner herein started demanding dowry of a sum of Rs. 2,00,000/- and on account of non-fulfillment of the same, they used to inflict cruelty upon her.

The learned counsel for the 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 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 materials available in the case



dairy, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of Judicial Magistrate, 1st Class, Purnea in connection with Mirganj P.S. Case No. 109 of 2019, within a period of four weeks from today, whereupon the petitioner shall be admitted to the privilege of provisional bail on the very same day and then the learned court below shall issue notice to the complainant-wife and hold mediation proceeding in between the petitioner and his wife with a view to settle the matrimonial disputes between them.

The learned court below is directed to take a final call with regard to either confirming the provisional bail to be granted to be petitioner or revoking the same subject to outcome of the mediation proceeding as also considering the case of the petitioner on merits, without being prejudiced by the dismissal of his anticipatory bail petition by the learned court below.

In the meantime, for a period of four weeks from today, no coercive steps shall be taken against the petitioner herein.



The present petition stands disposed off on
the aforesaid terms.

(Mohit Kumar Shah, J)

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