

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22691 of 2020

Arising Out of PS. Case No.-102 Year-2019 Thana- MAHILA P.S. District- Siwan

MD. REHAN @ SUNNY @ REHAN RAJ Son of Md. Farid Resident of Sri Nagar, Ward No.03, P.S.-Siwan Mufassil, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-09-2020

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 Ashok Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Siwan Mahila PS case no. 102 of 2019 registered for the offences punishable under Sections 498A/313 of Indian Penal Code and 3/4 of Dowry Prohibition Act.

The informant is stated to have been married with the petitioner on 16.03.2015, whereafter she had gone to her in-laws' place and had become pregnant, however subsequently, the accused persons including the petitioner herein started demanding a sum of Rs. 2 lacs by way of dowry and upon non-



fulfilment of the same, the informant was subjected to physical and mental torture as also was assaulted resulting in her pregnancy being aborted and then the accused persons had dropped the informant at her father's house. It is further alleged that the father of the informant could not bear the pressure/tension, hence the same resulted in his death.

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.

Per contra, the learned APP for the State 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 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., Siwan in connection with Siwan Mahila PS case no. 102 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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