

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23886 of 2020

Arising Out of PS. Case No.-103 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

=====

SUNIL DAS Son of Ramanand Das Resident of Village - Kalyanpur, P.S.-
Rajepur, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi W/o Sunil Das, D/o Vishwanath Das Resident of Village -
Kalyanpur, P.S.- Rajepur, Distt.- East Champaran. At Present Resident of
Village - Morsand, P.S.- Runnisaidpur, Distt.- Sitamarhi.

... .. Opposite Party/s

=====

Appearance :

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

=====

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, the learned APP for the
State.

This is an application for grant of anticipatory
bail in connection with Complaint Case No. C-
1/103/2018 registered for the offence punishable
under Sections 147, 232, 324, 325, 307, 379, 420,



494, 498(A) of the Indian Penal Code and Sections 3/ 4 of the D.P. Act but cognizance taken under Sections 498(A) and 494/34 of the Indian Penal Code.

The allegation of the complainant is that her marriage was solemnized with the petitioner herein in the year, 2009, whereafter, she started living in her matrimonial home and her life was peaceful for some time, but subsequently, the petitioner started subjecting her to cruelty and other accused persons also started pressuring her on account of non-fulfilment of the demand of dowry to the tune of Rs. 3,00,000/- and finally, she was ousted out of her matrimonial home.

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. The learned counsel for the petitioner has 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 S.D.J.M. Sadar, Sitamarhi in connection with Complaint Case No. C-1/103/2018, 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)

Ajay/-

U		T	
---	--	---	--

