

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28787 of 2020

Arising Out of PS. Case No.-58 Year-2019 Thana- MAHILA P.S. District- Rohtas

BRIJ KISHORE SINGH Son of Ganga Singh Resident of Village - Nimiya,
P.S.- Shiv Sagar, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-12-2020 Heard the learned counsel for the petitioner

and Shri Tarun Prasad Mandal, the learned APP appearing for

the State.

The petitioner seeks regular bail in connection
with Mahila P.S. Case No. 58 of 2019 for the offence punishable
under Sections 341/ 323/ 504/ 506/498(A) /34 of the Indian
Penal Code .

The marriage of the informant is stated to have
been solemnized with the petitioner on 12.05.2017, whereafter
she had gone to her matrimonial home, however, subsequently,
the accused persons including the petitioner herein started
pressuring her to bring a sum of Rs. 5 lacs by way of dowry. It is
further alleged that upon non-fulfilment of the aforesaid demand
for dowry, the accused persons, including the petitioner herein,



had assaulted her as also had driven her out of her matrimonial home.

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.

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 to keep his wife with due honour and dignity, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of Judicial Magistrate, 1st Class, Dehri, Rohtas in connection with Mahila P.S. Rohtas Case No.58 of 2019 within a period of four weeks from today, whereupon the petitioner shall be granted the privilege of provisional anticipatory bail on the very same day, subject to such conditions as may be deemed fit and proper to be imposed by the learned court below. It is further directed that the learned court below shall then summon the wife of the petitioner, engage the husband and wife in mediation proceedings and shall also make endeavours 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 confirming the provisional anticipatory bail to be granted to the petitioner or revoking the same, depending on the outcome of the mediation proceedings as also upon an independent application of mind, without being prejudiced by the order passed by the learned court below earlier, rejecting the anticipatory bail petition of the petitioner herein.

It is also directed that for a period of four weeks from today, no coercive steps shall be taken against the petitioner herein in connection with Mahila P.S. Rohtas Case No.58 of 2019, pending before the learned Judicial Magistrate- 1st Class, Dehri, Rohtas.

(Mohit Kumar Shah, J)

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