

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28790 of 2020**

Arising Out of PS. Case No.-7 Year-2020 Thana- PALASI District- Araria

RAJU KHAN S/o Zahid Khan Resident of Village-Bansar, Ward No.06, P.S.-  
Palsi, District-Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rizwana Khatoon W/o Raju Khan, D/o Sakim Khan Resident of Village-Bansar, Ward No.06, P.S.-Palasi, District-Araria.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Pradip Narayan Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      03-12-2020                      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 Pradip Narayan Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Palasi PS case no. 07 of 2020 registered for the offences punishable under Sections 341, 323, 498A, 504/34 of Indian Penal Code and 3/4 of Dowry Prohibition Act.

The informant is stated to have been married with the petitioner about five years back according to Muslim rites and customs, however subsequently, the petitioner herein and



his other family members started torturing the informant on account of non-fulfilment of the demand for dowry to the tune of Rs. 1 lac.

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. The learned counsel for the petitioner has further submitted by referring to paragraph no. 17 of the present petition that the petitioner is ready to keep his wife with full honor and dignity.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner is ready to keep his wife with full honour and dignity, I deem it fit and appropriate to grant liberty to the petitioner to surrender before the learned court of A.C.J.M. 1<sup>st</sup>, Araria in connection with Palasi PS case no. 07 of 2020 within a period of four weeks from today, whereupon the petitioner shall be granted provisional anticipatory bail subject to such conditions as may be deemed fit and appropriate to be imposed by the learned court below. It is further directed that the learned court below shall then summon the informant and shall hold mediation proceedings in between the petitioner and his wife



and shall try to settle the matrimonial disputes which have arisen amongst them, whereafter the learned court below shall take a final call depending on the outcome of the mediation proceedings with regard to either confirming or cancelling the provisional anticipatory bail to be granted to the petitioner herein, without being influenced by the rejection of the anticipatory bail of the petitioner herein by the learned court below earlier.

The petition stands disposed of on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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