

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31357 of 2020**

Arising Out of PS. Case No.-47 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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ASHUTOSH PRAKASH Son of Vijay Narayan Resident of Village- Defence
Colony Shahpur, Police Station- Shahpur, District- Patna.-801502

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anuradha Kumari Singh Wife of Sri Ashutosh Prakash and D/o Sri Vinay Kumar Resident of Village and P.O.- Gorakhari, P.S.- Bikram, District- Patna at present residing at Jhaurdih, Malipatti, Dhanbad (Jharkhand).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan
For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2020 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

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

This is an application for grant of anticipatory bail

in connection with complaint case no. 47(C) of 2020 registered

for the offences punishable under Sections 498A, 323, 504 of

Indian Penal Code.

The allegation is regarding the complainant

having solemnized marriage with the petitioner herein in the

month of May, 2013 as per Hindu rites and rituals. It is also



alleged that subsequently, the complainant was subjected to cruelty and assault at the hands of her in-laws including the petitioner herein on account of non-fulfilment of the demand of Rs. 5 lacs and subsequently, she was ousted from 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. The learned counsel for the petitioner has further submitted that the petitioner is ready 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 of 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 Judicial Magistrate 1st class, Danapur, Patna in connection with Complaint case no. 47(C) of 2020 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 proceedings 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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