

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63150 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- MAHILA PS District- East Champaran

RAVI SHANKAR SINGH Son of Late Pramod Singh Resident of Village-
Khurhan, P.S.- Alamnagar, District- Madhepura, presently residing at
Mohalla- Belbanwa, P.S.- Motihari Towan, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anuja Singh Wife of Ravi Shankar Singh and Daughter of Amrendra Singh
Resident of Mohalla- Belbanwa, P.S.- Motihari Town, District- East
Champaran, presently residing at Village- Sirisiya, P.S.- Bathnaha, District-
Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 17-12-2020 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, requiring social
distancing.

Heard the learned counsel appearing for the petitioner and
Shri Lalan Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Motihari Mahila P.S. Case No. 60 of 2018 for the offence
punishable under Sections 341, 342, 354(B), 312, 313, 323, 406,
498(A)/34 of the Indian Penal Code, Section 3/4 of the Dowry
Prohibition Act and Sections 22(i), 23(i) (iii) of the P.D.T. Act.

The case of the prosecution, according to the informant, is



that her marriage was solemnized on 20.06.2014 with the petitioner as per Hindu rites and rituals, however, subsequently when she had gone to her in-laws place, the petitioner and other co-accused started torturing her mentally and physically on account of non-fulfillment of the demand for a four wheeler vehicle by way of dowry. It is also alleged that the informant then became pregnant whereupon the petitioner and other accused persons had pressurized her to abort her pregnancy as also had assaulted her but somehow she had given birth to a child. Lastly, it is alleged that subsequently the petitioner and other accused persons had ousted her from 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 is having a clean antecedent. The learned counsel for the petitioner by referring to paragraph no. 17 of the present case has submitted that the petitioner is ready and willing to settle his dispute with the informant with full respect and dignity.

Per contra, the learned A.P.P. 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 on the



record, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of C.J.M., Motihari, East Champaran in connection with Motihari Mahila P.S. Case No. 60 of 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)

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