

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62013 of 2019**

Arising Out of PS. Case No.-82 Year-2019 Thana- CHAKAND District- Gaya

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KUNDAN KUMAR @ CHHOTU KUMAR Son of Uday Das @ Sanjay Ram
Resident of Village - Bithosarif, P.S.- Chakand, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramashish

For the Opposite Party/s : Mr.Navin Kumar Pandey

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

4 16-06-2020 The 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 the learned APP for the State, Sri Ashok Kumar as also the learned counsel for the informant.

This is an application for grant of anticipatory bail in connection with Chakand P.S. Case No. 82 of 2019 registered for the offence punishable under Sections 341, 323, 498(A), 504 and 506 of the Indian Penal Code.

The case of the prosecution according to the informant is that the informant was married with the petitioner on



23.10.2018 and the said marriage was by way of love marriage, however, subsequently, the petitioner had expelled the informant from the matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and in fact, no marriage had taken place in between the informant and the petitioner. It is further submitted that the present case in question has been filed only to squeeze money out of the petitioner and from other accused persons.

Per contra, the learned counsel for the informant has submitted that the petitioner had lured the informant and thereafter, he had forcibly taken her away, as such, it is incumbent upon the petitioner to maintain the informant.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose of the present petition with a direction to the petitioner to surrender before the learned court of A.C.J.M. VI, Gaya in connection with Chakand P.S. Case No. 82 of 2019, whereupon the learned court below shall grant provisional bail to the petitioner herein upon such conditions as may be deemed fit and proper and thereafter, it would issue notice to the informant and conduct mediation in between the petitioner and the informant with a view to settle the disputes



amongst them.

The learned court below is further directed to take the final call with regard to confirming the privilege of provisional bail to be granted to the petitioner herein, depending on the outcome of the mediation process as also considering the merits of the case, without being prejudiced by its earlier order or the order of this Court.

It is further directed that the interim order dated 17.10.2019 shall continue for a period of four weeks from today, in order to enable the petitioner to surrender before the court below and obtain provisional bail.

The present petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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