

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62858 of 2019

Arising Out of PS. Case No.-1264 Year-2016 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

ANIL RAJAK Son of Daho Rajak Resident of Village-Mainka, Police Station-Lakho O.P. (Muffasil), District-Begusarai.

... .. Petitioner/s

Versus

1. THE STATAE OF BIHAR Bihar
2. Neelam Devi Wife of Anil Rajak, Daughter of Banarasi Mahto Resident of Village-Mainka, Police Station-Lakho O.P. (Muffasil), District-Begusarai, At Present Village-Hawaspur, Police Station-Barauni, District-Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar
For the Opposite Party/s	:	Mr.Manoj Kumar, APP
For the complainant	:	Mr. Manoj Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-06-2020 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 Shri Bipin Kumar, the learned counsel for the petitioner, Shri Manoj Kumar Singh, the learned counsel for the complainant and the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1264-C of 2016 for the offence punishable under Sections 498A and other allied sections of the Indian Penal Code.



The present case arises out of a matrimonial dispute amongst the husband and wife and as far as the petitioner is concerned, he is the husband and the learned counsel for the petitioner has submitted that the petitioner is ready to keep his wife with full honour and dignity.

The learned counsel for the complainant has submitted that the opposite party no.2 i.e. the wife of the petitioner herein is also ready to stay with her husband, however, some protection be granted so that there is some moral pressure upon the petitioner (husband) to keep his wife with full honour and dignity.

Accordingly, the present petition stands disposed of with a direction to the petitioner to surrender before the learned court of Sub-Divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 1264-C of 2016, whereupon the petitioner shall be released on provisional bail on the very same day. The learned court below is further directed to engage the husband and wife i.e. the petitioner and the opposite party no.2 herein in mediation proceedings so that the matrimonial dispute can be settled amicably and the parties can lead a happy conjugal life. It is further directed that the learned court below shall then consider the conduct of the



parties and take a final call with regard to the confirmation of the provisional bail to be granted to the petitioner herein.

The present petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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