

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79578 of 2019**

Arising Out of PS. Case No.-299 Year-2019 Thana- KORHA District- Katihar

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SUMAN RISHI, Son of Late Nageshwar Rishi, Resident of Village - Korha,  
P.S. - Korha, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari, Wife of Suman Rishi, daughter of Subhash Gupta Resident of  
Village - Korha, P.S. - Korha, District - Katihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

5      22-06-2020                      Heard learned counsel for the petitioner and learned  
APP for the State.

The matter has been taken up through virtual Court  
proceeding.

The petitioner, being the husband of the informant, has  
preferred the present application for grant of bail in a case  
registered for the offences punishable under Sections 323, 498A  
of the I.P.C. and Sections 3/4 of the Dowry Prohibition Act.

Initially, the prosecution case got initiated with filing of  
Complaint Case No.827 of 2019, which came to be registered as  
police case, being Korha P.S Case No.299 of 2019, after its  
being transferred under Section 156(3) of the Code of Criminal



Procedure to the police.

The prosecution case as per the complainant, Kajal Kumari is to the effect that she was married with the petitioner about six years prior to lodging of the present case, but there was further dowry demand of Rupees One Lac and an motorcycle and due to non-fulfillment of the same, the torturer was inflicted upon her.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph no.13 of the petition which reads as under :-

“13. That the petitioner is always ready  
to keep the informant with honour of dignity  
....”

It is further submitted that the petitioner is languishing in custody since 24.09.2019, but he has been granted provisional bail vide order dated 04.12.2019 by a Co-ordinate bench of this Court, Thereafter, vide order dated 06.03.2020, on the ground that the petitioner has performed second marriage, on the joint prayer of the parties, the matter was referred to the Mediation Centre.

However, it is jointly submitted that the mediation is not conducted due to the exceptional situation on account of present



pandemic, Covid-19, hence, a joint prayer has been made that the present application be disposed of with a liberty to the parties to get the issue mediated before the learned Court below on resumption of physical Court proceeding.

In the circumstances, the period of provisional bail granted to the petitioner vide order dated 04.12.2019, in connection with Korha P.S. Case No. 299 of 2019, pending before the learned SDJM, Katihar is allowed to continue till 1<sup>st</sup> of December, 2020.

In the meantime, it is expected from the learned Court below to get the issue mediated between the parties on resumption of physical Court proceeding. The provisional bail of the petitioner will be confirmed by the learned Court below on resolution of issue between the parties.

Accordingly, the present application is disposed of.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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