

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17026 of 2020**

Arising Out of PS. Case No.-206 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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SURBIND RAI @ SURBIND KUMAR S/O Harendra Rai R/o village-
Dubha, Pohiari, P.S. - Desri, OP- Sahsai Bujurg, District - Vaishali, Bihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Poonam Devi W/O Surbind Rai @ Surbind Kumar D/O Pramod Rai, R/O
Village - Mansurpur, P.s. - Sarai, District - Vaishali, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

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

3 06-01-2021 Heard the learned counsel for the petitioner and

Sri Khurshid Anwar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Complaint case no. C1-206 of 2018

registered for the offences punishable under Sections 498A/34

of Indian Penal Code and 4 of Dowry Prohibition Act.

The allegation is regarding the petitioner and

other accused persons having assaulted the complainant on

account of non-fulfilment of the demand for dowry and

thereafter, they had ousted her from her matrimonial home. The

petitioner is said to be the husband of the complainant/ victim

lady.



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 and willing 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 made by the learned counsel for the parties and taking into account the fact that the petitioner is ready and willing to settle the matrimonial dispute with his wife, I deem it fit and appropriate to grant liberty to the petitioner to appear before the learned court of S.D.J.M., Vaishali at Hajipur in connection with Complaint case no. C1-206 of 2018, 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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