

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26255 of 2020**

Arising Out of PS. Case No.-1951 Year-2018 Thana- COMPLAINT CASE District- Banka

AJEET KUMAR SAGAR Son of Shyam Mandal @ Shyamakant Mandal  
Resident of Village- Champachak (Chambachak), P.O.- Kasimpur, P.S.-  
Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priya Devi W/o Ajeet Kuma Sagar, Daughter of Suresh Mandal Resident of  
Village- P.O.- Bindo, P.S.- and District- Banka.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Nandad Prasad  
For the Opposite Party/s : Mr.A.G.

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

3      06-01-2021                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Complaint Case No. 1951 of 2018 for the offence  
registered under Sections 498(A), 323, 379 504 of the Indian  
Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The allegation is regarding the accused persons  
including the petitioner herein having tortured the complainant  
physically and mentally on account of non-fulfillment of the  
demand for dowry and then had brutally assaulted her and  
driven her out of her matrimonial home.

The petitioner is stated to be husband of the victim



lady.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he 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 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 in the case dairy, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of Judicial Magistrate-1st Class, Banka in connection with Complaint Case No. 1951 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)**

S.Sb/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

