

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37933 of 2020

Arising Out of PS. Case No.-196 Year-2020 Thana- LALGANJ District- Vaishali

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Amod Kumar son of Rajendra Rai, Resident of Village- Basanta Jahanabad,
P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2021 Heard the learned counsel for the petitioner and Mr.
Ashok Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with
Lalganj P.S. Case No. 196 of 2020 for the offence punishable
under Sections 498(A), 341, 323, 504 and 506 of the Indian
Penal Code and section 3/4 of D.P. Act.

The allegation is regarding the petitioner, who is the
husband of the informant, having demanded dowry and on
account of non-fulfillment of the same, he had not only
assaulted her, but had also ousted her from matrimonial house.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and is languishing in
custody since 13.07.2020. The learned counsel for the petitioner



has further submitted that the petitioner is ready and willing to settle the matrimonial dispute in question, hence, he be granted provision bail.

Per contra, Shri Ashok Kumar, the learned A.P.P. appearing for the State has vehemently opposed the prayer for regular 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 on record as also upon hearing the learned counsel for the parties, I deem it fit and proper to direct for release of the petitioner on provisional bail, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of ACJM-IX, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 196 of 2020.

It is further directed that the court below shall initiate mediation proceedings in between the petitioner and his wife and shall issue notice to the wife i.e. the informant of the present case so that the matrimonial disputes can be settled amicably. It is further directed that the learned court below shall take a final call with regard to either confirming the provisional bail to be granted to the petitioner or revoking the same subject to



outcome of the mediation proceedings as also considering the case of the petitioner on merits, without being prejudiced by the dismissal order passed by the learned court below earlier.

The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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