

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.39522 of 2020**

**Arising out of P.S. Case No. 935, year- 2019, Thana- Sonapur District  
Saran at Chapra**

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Praveen Kumar (male), aged about 35 years son of Dharmnath Singh,  
resident of village- Gopalpur Dakhinwari Tola, P.S. Nayagaon, District  
Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Baby Priyanka d/o Amrendra Kumar Singh, resident of village- Barbatta,  
P.S. Sonapur, District Saran.

... .. Opp. Party/s

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**Appearance :**

For the Petitioner/s : Mr. Devendra Kumar Singh, Adv.

For the Opp. Party/s : Mr. Bharat Bhushan, APP

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

**ORAL ORDER**

2    02-06-2021

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 the learned counsel for the parties.

The petitioners apprehend their arrest in connection  
with Sonapur P.S. Case No. 935 of 2019 for the offences  
punishable under sections 498(A) of the Indian Penal Code,  
section 3 and 4 of the Prevention of Corruption Act.



The case of the prosecution in brief, according to the informant, who is the wife of the petitioner, is that her marriage was solemnized with the petitioner on 01.12.2014 as per Hindu rites and custom, whereafter she had gone to her in-laws place, however, subsequently the accused persons i.e. the in-laws of the informant and the petitioner started harassing her on account of non-fulfilment of demand for dowry. It is further alleged that the informant was finally ousted from the matrimonial home.

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. It is further submitted that the petitioner is ready to keep his wife with full honour and dignity and in fact he has also filed a case for restitution of conjugal right under Section 9 of the Hindu Marriage Act and the same is pending adjudication before the learned court of Principal Judge, Family Court, Chapra.

Per contra, the learned A.P.P. for the State, Shri Bharat Bhushan has submitted that it would be in the interest of justice if endeavour is made to resolve the matrimonial disputes, in-between the husband and wife, amicably by resorting to mediation proceedings.

Having regard to the facts and circumstances of the case, consider \_\_\_\_\_ ons made by the learned counsel



for the parties and taking into account the fact that the petitioner is ready to keep his wife with due dignity and honour, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 935 of 2019 within a period of eight weeks from today, whereupon the petitioner shall be granted the privilege of provisional bail on the very same day, subject to such conditions as may be deemed fit and proper to be imposed by the learned court below. It is further directed that the learned court below shall then summon the wife of the petitioner and engage the husband and wife in mediation proceedings and shall make all endeavours 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 confirming the provisional bail to be granted to the petitioner or revoking the same, after receipt of the outcome of the mediation proceedings as also upon an independent application of mind, without being prejudiced by the order passed by the learned court below earlier, rejecting the anticipatory bail petition of the petitioner herein.

It is also directed that for a period of eight weeks from today, no coercive steps shall be taken against the petitioner herein in conr

sonapur P. S. Case No. 935 of 2019,



pending before the learned Chief Judicial Magistrate, Saran at Chapra.

The present petition stands disposed of with the aforesaid directions.

**(Mohit Kumar Shah, J)**

Tiwary/-

