

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4616 of 2021

Arising Out of PS. Case No.-910 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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ABDHESH KUMAR PASWAN @ AWADHESH KUMAR PASWAN S/O
BIKAU PASWAN Resident Of Village - Bhawanpur, P. S. - Bathnaha, District
- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neelam Devi W/O Abdhesh Kumar Paswan @ Awadhesh Kumar Paswan
D/O chulhai Paswan Resident Of Village - Bhagwanpur, P. S.- Bathnaha,
Distt. - Sitamarhi. At Present R/O Village - Sarwarpur, P.S. - Sonbarsa,
District - Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the parties.

The petitioner seeks regular bail in connection with
C1 Case No. 910 of 2019 for the offence punishable under
Sections 498(A). 323. 307, 504, I.P.C. and 3/4 of the D.P. Act.

The allegation is regarding the accused persons
including the petitioner, who is the husband of the victim lady
having tortured and inflicted cruelty upon the victim lady on
account of non- fulfillment of the demand for dowry. The
marriage of the petitioner with the victim lady is stated to have
been solemnized in the year 2016.

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 and willing to keep his wife with due honour and dignity, hence for the said purpose, he is not averse to participating in mediation proceedings, before the learned court below, as and when the same is initiated.

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 on record, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of S.D.J.M. Sadar, Sitamarhi in connection with C1 Case No. 910 of 2019, 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 with a view to settle the matrimonial disputes in between them by resorting to mediation proceedings.

The learned court below is directed to 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 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 of on the aforesaid terms.

(Mohit Kumar Shah, J)

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