

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7388 of 2021**

Arising Out of PS. Case No.-1045 Year-2015 Thana- DARBHANGA COMPLAINT CASE  
District- Darbhanga

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Ramesh Kumar @ Ramesh Mahato S/o Ramdev Mahato R/o village-  
Hawaiadda Bhouara, P.S.- Town, District- Madhubani

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
  2. Chanda Devi W/o Ramesh Kumar @ Ramesh Mahato, C/o Rajesh Mahato  
R/o village- Purani Bazar, P.S.- Manigachi, District- Darbhanga
- ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan  
For the Opposite Party/s : Mr. A.G.

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

2      23-11-2021                      Heard.

The petitioner apprehends his arrest in connection with Complaint Case No. 1045 of 2015 for the offence punishable under Sections 498(A), 307, 378, 406, 504, 323 of the Indian Penal Code and Section 3/4 of the D.P.Act.

The petitioner is stated to have solemnized marriage with the informant in the year 2015, however, after some time, the accused persons including the petitioner herein started inflicting cruelty upon the informant and started torturing her on account of non-fulfilment of the demand for dowry.

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 full honour and dignity and the petitioner is not averse to the idea of him being relegated to the mediation process before the learned court below for the purposes of engaging the petitioner and his wife in mediation proceedings so that the marital discord can be amicably resolved.

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., Darbhanga in connection with Complaint Report No. 1045 of 2015, 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/ informant- 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)**

Tiwary/-

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