

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10200 of 2021

Arising Out of PS. Case No.-85 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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VICKY ANAND KUMAR S/O RAJDEO SINGH R/o village- Ramgarh,
P.O.- Pahaleja, P.S.- Dihari, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. PINKI KUMARI @ PINKI DEVI W/O VICKY ANAND KUMAR, D/O
RAMAYAN SINGH Permanent R/o village- Ramgarh, P.O.- Pahaleja, P.S.-
Dihari, Distirct- Rohtas. At present R/o village- Alinagar, P.S.- Tilauthu,
District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Adv.
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-11-2021 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 petitioner
and the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Complaint Case No.
85/2019 registered for the offence punishable
under Section 498(A) of the Indian Penal Code.



The allegation is regarding the petitioner having solemnized marriage with the informant, who happens to be the wife of the petitioner in the year, 2016. It is alleged that subsequently, the petitioner and other accused persons started demanding dowry from the informant and on account of non-fulfilment of the same, the accused persons including the petitioner herein had assaulted the informant, snatched her belongings and driven her out from her matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he 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 full dignity and honour as also he is ready to participate in any sort of mediation proceedings, which may be conducted by the learned court below.

Per contra, the learned APP for the State, Ms. Anita Kumari Singh, has submitted that the best



course would be to relegate the petitioner and his wife i.e. the informant to the mediation process so that the matrimonial dispute in question can be settled amicably.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to direct the petitioner to surrender before the learned court of Sub-Divisional Judicial Magistrate, Dihari, Rohtas in connection with Complaint Case No. 85 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 informant-wife and hold mediation proceeding in between the petitioner and his wife with a view to settle the matrimonial disputes in between them amicably.

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.

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)

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