

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61807 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- SULTANGANJ District- Bhagalpur

CHANDAN KUMAR S/o Subodh Paswan Resident of Village-
Shivnandanpur, P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari D/o Baiju Paswan Resident of Village- Shivnandanpur, P.S.- Sultanganj, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Karn
For the Opposite Party/s : Mr.Raj Kishore Singh
For the Informant : Mr. Bindeshwari Pd. Mandal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 04-01-2021 Heard the learned counsel for the petitioner, Sri
Raj Kishore Singh, the learned A.P.P. for the State and Sri
Madan Singh, the learned counsel for the informant.

This is an application for grant of anticipatory bail in connection with Sultanganj PS case no. 122 of 2019 registered for the offences punishable under Sections 376, 498A, 323, 420, 504, 120(B)/34 of Indian Penal Code.

The allegation is regarding the marriage of the informant having been solemnized with the petitioner, however subsequently, the petitioner has refused to keep the informant with him, as her legally married wife and is alleged to have assaulted the informant and ousted her from her 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 and willing to keep his wife with due honour and dignity.

Per contra, the learned counsel appearing for the informant, Sri Bindeshwari Pd. Mandal has submitted that the informant is also ready and willing to settle the matter.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that the petitioner is ready and willing to settle the matrimonial dispute with his wife, I deem it fit and appropriate to grant liberty to the petitioner to appear before the learned court of A.C.J.M., Bhagalpur in connection with Sultanganj PS case no. 122 of 2019 within a period of four weeks from today, whereupon he shall be granted provisional bail on the very same day and then the learned court below shall issue notice to the complainant-wife and engage both the petitioner and his wife in mediation proceedings with a view 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 revoking the provisional bail to be



granted to the petitioner herein or confirming the same,
depending upon the final outcome of the mediation proceedings
as also considering the merits of the case.

The petition stands disposed off on the aforesaid
terms.

(Mohit Kumar Shah, J)

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