

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40600 of 2021

Arising Out of PS. Case No.-560 Year-2020 Thana- RAJAOLI District- Nawada

VIKRAM GUPTA Son of Manoj Gupta Resident of Village - Rajauli, P.S.
Rajauli, District- Nawada.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shalini Kumari D/O Suresh Prasad Resident of Village - Wazirganj, P.S.
Wazirganj, District - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Rajaul PS case no. 560 of 2020 instituted for the offence punishable under Sections 341, 323, 354, 504, 506, 498A/34 of Indian Penal Code and 3/4 of D.P. Act.

The allegation is regarding the accused persons including the petitioner herein, who is the husband of the opposite party no. 2, having demanded dowry from the opposite party no. 2 and her parents and upon refusal to meet the demands of the petitioner and his family members, the informant i.e. the opposite party no. 2 was tortured and



ultimately, ousted from her matrimonial house. It is also alleged that the parents of the petitioner herein were planning to perform the second marriage of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 05.04.2021. The learned counsel for the petitioner has further submitted that the petitioner is ready to participate in the mediation proceedings, if any, to be conducted by the learned court below and would also make all endeavours to amicably settle the matrimonial dispute in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail. The learned counsel for the informant Sri Anand Kishore Pd. Sinha has submitted that the opposite party no. 2 has got no objection, in case the matter is referred for mediation and she would also make endeavours to resolve the matrimonial dispute in question amicably.

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 available on record, this Court deems it fit and proper to grant provisional



bail to the petitioner subject to such conditions, as may be deemed fit and proper to be imposed by the learned court of Chief Judicial Magistrate, Nawada in connection with Rajauli PS case no. 560 of 2020.

It is further directed that the learned court below shall engage the informant-wife and the petitioner herein in mediation proceedings with a view to settle the matrimonial disputes amongst them. It is needless to state 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 and without being prejudiced by the earlier rejection of the bail petition of the petitioner by the learned court below.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

