

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58689 of 2021

Arising Out of PS. Case No.-347 Year-2021 Thana- NAWADA District- Nawada

SUNIL KUMAR Son of Bandhu Chauhan Resident of Mohalla - Piparpanti,
P.S.- Nawada Town in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-06-2022 Heard the learned counsel for the parties.

The petitioner apprehends his arrest in connection with Nawada Town P.S. Case No.347 of 2021, registered for the offence punishable under Sections 341, 323, 498(A)/34 of the Indian Penal Code.

The case of the prosecution in brief is that the marriage of the informant was solemnized with the petitioner on 27.03.2021 as per Hindu rites and rituals whereafter the informant had gone to her matrimonial home, however, subsequently a demand of Rs.5 lacs was made by way of dowry and since the said money could not be arranged,



the accused persons including the petitioner herein, who is the husband of the informant, had assaulted the informant.

The learned counsel for the petitioner submits 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 i.e. the informant herein, with due honour and dignity, hence, the matter be sent for mediation so that the matrimonial dispute can be settled 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 on record, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 347 of 2021, 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 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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