

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59930 of 2021**

Arising Out of PS. Case No.-579 Year-2020 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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MD. TABREJ S/o MD. MURTUJA R/o VILLAGE-DHARPUR NARAYAN
@ TIHAI MADARIPUR, P.S-MINAPUR, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAVINA PRAVEEN W/o MD. TABREJ R/o VILLAGE-DHARPUR
NARAYAN @ TIHAI MADARIPUR, P.S-MINAPUR, DISTRICT-
MUZAFFARPUR. AT PRESENT RAVINA PRAVEEN D/o MD. KALAM,
R/o VILLAGE-MAHESHA FARAKPUR, P.S-MAHINDWARA,
DISTRICT-SITAMARHI.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-06-2022 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. 579 of
2020 registered for the offence punishable under
Section 406, 498(A)/34, 504, 323 of the Indian
Penal Code and Section 3/4 of the D.P.Act.

The case of the informant, who is the wife of



the petitioner herein, in brief is that her marriage was solemnized with the petitioner on 7.6.2011 as per Muslim Rites and Rituals. It has also been alleged that after the informant had gone to her matrimonial home, the petitioner and his other family members started demanding dowry and on account of non-fulfillment of the same, she was subsequently thrown out of the matrimonial home along with her children.

The learned counsel for the petitioner submits 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 not averse to the idea of entering into a mediation with his wife for the purposes of amicably settling the matrimonial dispute in question. It is further submitted that for the purposes of joining mediation proceedings, the petitioner be granted some protection.

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 First Class Judicial Magistrate, Sitamarhi in connection with Complaint Case No. 579 of 2020, 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 further 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 proceedings 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 earlier.

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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