

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6015 of 2023

Arising Out of PS. Case No.-14 Year-2020 Thana- SANOKHAR District- Bhagalpur

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1. NARESH MANDAL SON OF LATE KHUSHILAL MANDAL R/O VILLAGE- MAHESHKHOR, P.S.- SANOKHAR, DISTRICT- BHAGALPUR
 2. VIMLA DEVI WIFE OF NARESH MANDAL R/O VILLAGE- MAHESHKHOR, P.S.- SANOKHAR, DISTRICT- BHAGALPUR
 3. VIKASH MANAL SON OF NARESH MANDAL R/O VILLAGE- MAHESHKHOR, P.S.- SANOKHAR, DISTRICT- BHAGALPUR
 4. SHOBHA DEVI WIFE OF VIKASH MANDAL R/O VILLAGE- MAHESHKHOR, P.S.- SANOKHAR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRIYANKA KUMARI D/O KAILASH MANDAL R/O VILLAGE- NADIYAMA, P.O.- NADIYAMA, P.S.- GORADIH, DISTRICT- BHAGALPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Diwakar Yadav
For the Opposite Party/s	:	Mr.Parmanand Kumar
For the Informant	:	Mr. Pravin Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sanokhar P.S. Case No. 14 of 2020 registered for the offence punishable under Section 341, 323, 504, 506, 498(A)/34 of the Indian Penal Code, Sections 3 and 4 of the



Dowry Prohibition Act.

The marriage of the son of the petitioners no. 1 and 2 is stated to have been solemnized with the informant in the month of February, 2019, however, subsequently, the accused persons started demanding dowry and on account of non-fulfillment of the same, they had abused and assaulted the informant as also had thrown her out of her matrimonial home.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the petitioners have no role play in the alleged incident, inasmuch as they are the mother-in-law, father-in-law, brother-in-law and sister-in-law of the victim lady. Nonetheless, it is submitted that the petitioners along with the husband of the informant are ready to participate in any mediation proceedings to be initiated by the learned Trial Court so that the matrimonial dispute in question can be settled amicably.

Per contra, the learned APP for the State has submitted that the best course would be to relegate the petitioners along with the husband of the informant 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 petitioners, I deem it fit and proper to direct the petitioners to surrender before the learned court of SDJM, Bhagalpur, in connection with Sanokhar P.S.Case No. 14 of 2020, within a period of four weeks from today, whereupon the petitioners 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 petitioners including the husband of the informant 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 petitioners or revoking the same subject to outcome of the mediation proceeding as also considering the case of the petitioners 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 petitioners herein.



The present petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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