

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6625 of 2023

Arising Out of COMPLAINT CASE No.-60 Year-2020 District- Sitamarhi

Md. Jakir Hussain @ Guddu Son of Late Motiur Rahman @ Bhaglu @
Matiur Rahman Resident of Village- Kasaiyapatti, P.S.- Bajpatti, District-
Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raushan Praveen @ Rani Wife of Md. Jakir Hussain @ Guddu At present
Address, Village- Mehsaul, P.S.- Runnisaidpur, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-05-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

This is an application for grant of
anticipatory bail in connection with Complaint Case
No.C1-60/2020, registered for the offence
punishable under Sections 498(A) of the Indian
Penal Code and Section 4 of the Dowry Prohibition
Act.

The case of the complainant, in brief, is
that the marriage of the petitioner is stated to
have solemnized with the complainant, in the year



2007, as per Hindu rites and rituals, whereafter the complainant had gone to her matrimonial home, however, subsequently, she was tortured and ousted from her matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the case and he 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 APP for the State and learned counsel for the complainant have though vehemently opposed the prayer for bail, but are not adverse to the idea of the parties being relegated to the mediation process to be conducted by the learned trial court, so that the matrimonial dispute in question can be settled amicably.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials



available on record, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of SDJM, Sadar, Sitamarhi in connection with Complain Case No.C1-60/2020, 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 complainant-wife and hold mediation proceeding in between the petitioner and his wife with a view to settle the matrimonial disputes between them.

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 off on
the aforesaid terms.

(Mohit Kumar Shah, J)

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