

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5569 of 2023

Arising Out of PS. Case No.-509 Year-2021 Thana- AGAMKUAN District- Patna

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RAHUL KUMAR Son of Ramekwal Ray R/O Moh- Chhoti Pahari, P.S.-
Agamkuan, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sadhana Kumari Daughter of Ramesh Prasad R/O Mohalla - Chhoti Pahari,
P.S.- Agamkuan, District - Patna. Mob. No.- 6205570593.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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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 Agamkuan P.S.
Case No.509 of 2021, registered for the offences
punishable under Sections 341, 323, 498(A),
504/34 of the Indian Penal Code.

The case of the complainant, in brief, is
that the marriage of the petitioner was solemnized
with the informant on 16.06.2019, as per the Hindu



rites and rituals, whereafter a child was born out of the said wedlock, however, subsequently the petitioner and his family members started demanding a sum of Rs.5,00,000/- and a motorcycle, by way of dowry and on account of non-fulfilment of the said demand for dowry, the petitioner and his family members used to torture the informant and finally they had ousted the informant from her matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present 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 as also is willing to participate in any mediation proceeding to be initiated by the learned Trial Court for the purposes of amicable settlement of the matrimonial disputes.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

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, I deem it fit and proper to grant liberty to the petitioner to surrender before the learned court of ACJM-IVth, Patna City in connection with Agamkuan P.S. Case No.509 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 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 petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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