

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15359 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- MAHILA P.S District- Supaul

NAVINDRA KUMAR YADAV @ NAVEEN KUMAR BHINDWAR Son of
Rambabu Bhindwar R/o- Gadhagaon, P.S.- Bheja, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patla Kumari

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-05-2023 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 Supaul Mahila P.S. Case No. 28 of 2022 registered for the offence punishable under Sections 498(A), 341, 323, 506, 504, 494, 379/34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

The case of the prosecution in brief is that the marriage of the petitioner was solemnized with the informant about 10 years back, as per Hindu rites and rituals and out of the said wedlock, two children were born, however, subsequently, the accused persons including the petitioner herein started demanding dowry and on account of non-fulfillment of the same, the informant was ousted from her 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 ready and willing to keep his wife with due honour and dignity and is also willing to participate in any mediation proceedings to be initiated by the learned court below with a view to amicably settle the matrimonial dispute in question.

Per contra, the learned APP for the State has submitted that the best course would be to relegate the petitioner 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 petitioner, I deem it fit and proper to direct the petitioner to surrender before the learned court of SDJM, Supaul in connection with Supaul Mahila P.S. Case No. 28 of 2022, within a period of six 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 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 six 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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