

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16313 of 2023

Arising Out of PS. Case No.-531 Year-2022 Thana- BARHARA KOTHI District- Purnia

Ramlal Murmu Son Of Late Mahanand Murmu R/O Village- Arraha Tola,
Sukhsena P.O., Bhatotar Chakla, P.S.- Barhara, District- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Premi Kisku @ Premi Kumri D/O Daniyal Kisku R/O Gadhay Tola, Jhogi Sukhsena, Harirahi, P.S.- Barhara, District- Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dr. Bidhu Ranjan, Advocate
For the State	:	Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-05-2023 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 Barhara P.S. Case No.531 of 2022, registered for the offences punishable under Sections 341, 323, 379, 498-A, 504, 506/34 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

The case of the informant, in brief, is that the marriage of the petitioner was solemnized with the informant in the year 2022, whereafter the informant had gone to her matrimonial home,



however, subsequently, the accused persons including the petitioner herein started torturing the petitioner on account of non-fulfilment of the demand of dowry and finally, she was 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 not only ready and willing to keep his wife with due honour and dignity but is also agreeable to participate in any mediation proceedings to be conducted by the learned Trial Court.

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, 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 CJM, Purnia in connection with Barhara P.S. Case No.531 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 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 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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