

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40774 of 2023

Arising Out of PS. Case No.-1062 Year-2021 Thana-COMPLAINT CASE District- Nawada

GOVIND RAVIDAS son of Surender Ravidas Mohalla- Ps- Chandawara
Dist- Koderma Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pramila Devi wife of Govind Ravidas Village Ps- Chandawara Dist- Koderma
Jharkhand A/p- Mathadih Ps- Rajauli Dist- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate
For the State : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 19-08-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Complaint Case No.1062 of 2021, registered for the offences punishable under Section 498A, 323, 379/34 of the Indian Penal Code, but cognizance has been taken only under Section 498-A and 323 of the IPC.
3. The case of the complainant, in brief, is that her marriage was solemnized with the petitioner on 09.05.2020, as per Hindu rites and rituals, whereafter she had gone to her



matrimonial home and subsequently, had given birth to a child, however, the accused persons, including the petitioner herein, then started demanding dowry by way of a sum of Rs.2 lakh and one air conditioner and on account of non-fulfillment of the same, she along with her child was thrown out of her matrimonial home.

4. 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. The learned counsel for the petitioner has further submitted, by referring to paragraph no.7 of the present petition, that the petitioner is ready and willing to keep his wife i.e. the opposite party no. 2-complainant with due honour and dignity and he is also ready to participate in mediation proceedings, if any, to be initiated by the Ld. Court below, in order to resolve the matrimonial disputes amicably.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.



6. Having regard to the facts and circumstances of the case, 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 Judicial Magistrate 1st Class-Nawada, in connection with Complaint Case No.1062 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 complainant-wife and hold mediation proceeding in between the petitioner and his wife with a view to settle the matrimonial disputes between them amicably.

7. 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 bail petition by



the learned court below.

8. In the meantime, for a period of four weeks from today, no coercive steps shall be taken against the petitioner herein.

9. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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