

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47958 of 2023**

Arising Out of PS. Case No.-518 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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INDAL SAHNI SON OF LATE BILTU SAHNI RESIDENT OF VILLAGE-
NAGDAH BALAIN, P.S- ARER, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. BIBHA DEVI DAUGHTER OF TALEWAR SAHNI RESIDENT OF
VILLAGE- JHITAKI, PS- KHIRHAR, DISTT- MADHUBANI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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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 C.R. No.518 of 2022, registered for the offences
punishable under Sections 323, 341, 498(A), 494, 379, 504, 506
and 34 of the Indian Penal Code.
3. The case of the complainant, in brief is that, her
marriage was solemnized with the petitioner as per Hindu rites
and rituals, whereafter she had gone to her matrimonial home,
however, subsequently the petitioner started demanding a sum
of Rs.2,00,000/- and one motorcycle by way of dowry and on
account of non-fulfillment of the same, she was tortured and



finally 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.11, 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 honor and dignity and for the said purposes, he is also ready to participate in mediation proceedings, if any, to be initiated by the learned 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, Benipatti, District-Madhubani, in connection with C.R. No.518 of 2022, 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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