

Arising Out of PS. Case No.-163 Year-2021 Thana- BUXAR COMPLAINT CASE District-
Buxar

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Mritunjay Kumar Niral, APP

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.163(C) of 2021, registered for the offences punishable under Section 498(A) of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.
3. The case of the complainant, in brief is that, her marriage was solemnized with the petitioner on 17.04.2019, as per Hindu rites and rituals, whereafter she had gone to her matrimonial home, however, subsequently, the accused persons,



including the petitioner herein had started demanding dowry and on account of non-fulfillment of the same, she was tortured and she was ousted from 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 that the petitioner undertakes to keep her wife with full honor and dignity and in order to amicably settle the matrimonial dispute in question, he is ready to participate in any sought of mediation proceedings, to be initiated by the learned trial Court.

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 S.D.J.M., Buxar, in connection with Complaint Case No.163(C) 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



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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