

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54987 of 2022

Arising Out of Complaint Case No.-215 Year-2021 District- Begusarai

Manish Kumar Son Of Mahendra Sah R/O Village- Chilhay Ghat, P.S.-
Bhagwanpur, Distt.- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjani Kumari @ Anjali Kumari Daughter Of Late Rajendra Sah R/O
Village- Chilhay Ghat, P.S.- Bhagwanpur, Distt.- Begusarai, At Present R/O
Village- Bishnupur, Ward No. 42, P.S.- Town, Distt.- Begusarai
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Mritunjay, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 22-05-2023 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 Complaint Case No.215 of 2021, registered for the offence punishable under Sections 498(A)/406 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The marriage of the petitioner is stated to have been solemnized with the victim-complainant on 18.06.2018, as per Hindu rites and rituals, whereafter the complainant is stated to have gone to her matrimonial home, but subsequently, the petitioner and his other family members are alleged to have



started demanding a sum of Rs.20,000/- and a motorcycle and on account of non-fulfillment of the same, the complainant 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 proceeding to be initiated 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 complainant 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 Judicial Magistrate-1st, Class, Begusarai in connection with Complaint Case No. 215 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.

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 four 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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