

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69725 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- MAHILA PS District- Darbhanga

MD. RIZWAN S/O ALI AKBAR Resident of Village- Narsara, P.S.-
Bishanpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Mohan

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Darbhanga Mahila P.S. Case No. 32 of 2022 registered for the offence punishable under Section 498A, 323, 504, 506, 34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

The marriage of the informant is stated to have been solemnized with the petitioner on 29.11.2020, whereafter the informant had gone to her matrimonial home, however, the petitioner and her relatives started demanding of a sum of Rs. 5,00,000/- by way of dowry and on account of non-fulfillment of the said demand for dowry, the accused persons including the petitioner herein used to abuse and assault the informant and



finally, they had ousted the informant from her matrimonial home.

The learned counsel for the petitioner submits 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 further submits that not only the petitioner is ready and willing to keep his wife with due honour and dignity, but is also ready to participate in any mediation proceedings, if any, to be initiated by the learned Trial Court for the purposes of amicably settling the matrimonial dispute in question.

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 and 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 SDJM, Darbhanga, in connection with Darbhanga Mahila P.S. Case No. 32 of 2022 (G.R. No. 1360 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 informant-wife and hold mediation proceeding in between the petitioner and his wife with a view to settle the matrimonial disputes in between them amicably.

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)

Ajay/-

U		T	
---	--	---	--

