

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1461 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- SABAUR District- Bhagalpur

1. ALOK DAS S/o Late Naresh Das R/o- Rajandipur, P.S.- Sabour, District- Bhagalpur
2. ASHOK DAS @ ASHOK RAVI DAS S/o Late Naresh Das R/o- Rajandipur, P.S.- Sabour, District- Bhagalpur
3. KASIM DAS @ KASHIM DAS S/o Late Naresh Das R/o- Rajandipur, P.S.- Sabour, District- Bhagalpur
4. KIRAN DEVI W/o Alok Das R/o- Rajandipur, P.S.- Sabour, District- Bhagalpur
5. SHOBHA DEVI W/o Ashok Das @ Ashok Ravi Das R/o- Rajandipur, P.S.- Sabour, District- Bhagalpur
6. GEETA DEVI @ GITA DEVI W/o Kasim Das @ Kashim Das R/o- Rajandipur, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-05-2023 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Sabour PS case no. 212 of 2022, registered
for the offences punishable under Sections 498(A) of the Indian
Penal Code and 3/4 of Dowry Prohibition Act.

The accused persons including the petitioners
herein who are stated to be uncle-in-law, father-in-law, aunt-in-



law and mother-in-law of the deceased victim lady are stated to have harassed and tortured the victim lady on account of non-fulfilment of the demand for dowry, whose marriage is stated to have been solemnized on 22.06.2021 with one Singheswar Das, who is the son of the petitioners no. 3 and 6.

The learned counsel for the petitioners submits that petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. The learned counsel for the petitioners has further submitted that though the husband of the victim lady is not before this Court, the petitioners are still not averse to the idea of participating in mediation proceeding, if any, to be conducted by the learned trial court for the purposes of resolving the matrimonial dispute in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, I deem it fit and appropriate to grant liberty to the petitioners to surrender before the learned court of Chief Judicial Magistrate, Bhagalpur in connection with Sabour PS



Case No. 212 of 2022, whereupon they shall be enlarged on provisional bail on the very same day and then the learned trial court shall engage the petitioners and the victim girl, after issuing notice and securing attendance of the victim girl, in mediation proceeding with a view to amicably resolve the matrimonial dispute in question.

The learned court below is directed to take a final call with regard to either confirming the provisional bail to be granted to be petitioners or revoking the same subject to outcome of the mediation proceeding as also considering the case of the petitioners on merits, without being prejudiced by the dismissal of their 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 petitioners herein.

The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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