

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72451 of 2022

Arising Out of PS. Case No.-1272 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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CHANDAN KUMAR ROY Son of Arun Kumar Roy R/v- Peksar (Petsar),
P.S.- Jarmundi, District- Dumka (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. DEEPSIKHA Wife of Chandan Kumar Roy, Daughter of Late Shriram Roy
R/o Mohalla- Back of Barmatia Power House, P.S.- Sahayak, District-
Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar,Advocate
For the Opposite Party/s : Mr.Lakshmi Kant Sharma,APP

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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.

The petitioner apprehends his arrest in connection with C.A. No. 1272 of 2021 registered for the offences punishable under Sections 498(A)/504 of the Indian Penal Code.

The marriage of the petitioner is stated to have been solemnized with the complainant on 12.05.2019 and during the course thereof huge sums of money is stated to have been spent by the family members of the complainant and then the complainant had gone to her matrimonial home,



however, subsequently, the petitioner and his family members started demanding dowry and on account of non-fulfillment of the same, the petitioner and his family members had thrown out the complainant from her matrimonial home.

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 is not only ready to keep his wife with due honour and dignity but he is also ready to participate in any mediation proceeding to be initiated by the learned trial court for the purposes of amicably settling the matrimonial dispute in question.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

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 Judicial Magistrate-1st Class, Katihar in connection with C.A. Case No. 1272 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 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)

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