

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73411 of 2022

Arising Out of PS. Case No.-414 Year-2021 Thana- MAJHAULIA District- West Champaran

SHATRUDHAN SAH Son of Vishundeo Sah R/v- Nariyarwa Britiya Tola
Sapahi, P.S.- Turkaulia, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. CHANDRAWATI DEVI D/o Bagar Sah, Wife of Shatrudhan Sah R/o Jagdishpur, P.S.- Majhaulia, P.S.- Turkaulia, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Majhaulia P.S. Case No.414 of 2021, registered for offences under Sections 341, 323, 307, 504, 506, 498(A)/34 of the IPC and Section 3/4 of Dowry Prohibition Act.

The case of the prosecution, in brief, is that the marriage of the informant was solemnized with the petitioner on 04.05.2015, in accordance with Hindu rites and rituals and lots of gifts and cash amount were given to the petitioner and his



family members, however, subsequently the petitioner started torturing the informant and also started making demands for dowry. It is alleged that out of the said wedlock, two children have been born, however, the petitioner did not use to care for them and instead, on account of non-fulfilment of demand for dowry, he and his family members had tortured and harassed the informant, whereafter the informant alongwith her children were ousted from the matrimonial house.

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 clean antecedent. The learned counsel for the petitioner further submitted that the petitioner is not only ready and willing to keep his wife with due honour and dignity, but is also willing to participate in mediation proceedings, in case the same is initiated in the present case.

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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauria P.S. Case No.414 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 be 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)

kanchan/Saurav

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

