

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1215 of 2023

Arising Out of PS. Case No.-785 Year-2020 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Santosh Kumar Son Of Sanjay Prasad Yadav R/O Olipur, P.S.- Narhat,
District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushboo Kumari Wife Of Santosh Kumar, D/O Dinesh Prasad R/O
Village- Panti, P.S.- Akbarpur, District- Nawada

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, 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 APP for the State.

This is an application for grant of anticipatory bail in connection with Complaint Case No.785 of 2020, registered for the offence punishable under Sections 323, 341, 307 498(A) and 504 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act, but cognizance has been taken under Section 498-A of the Indian Penal Code..

The case of the complainant, in brief, is that the marriage of the petitioner is stated to



have been solemnized with the complainant in the year 2016, whereafter the complainant had gone to her matrimonial home, however, after some time, the petitioner and his family members started demanding dowry, nonetheless, on account of non-fulfillment of the same, the petitioner and his family members had assaulted the complainant and thrown her out of the matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he is having a clean antecedent and he has been falsely implicated in the present case. 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 ready to participate in any mediation proceedings, to be initiated by the learned trial Court, for the purposes of amicably settling the matrimonial dispute in question.

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, Nawada in connection with Complaint Case No.785 of 2020, 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 petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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