

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12313 of 2015

Arising Out of PS.Case No. -3199 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Ravikash Kumar Son of Late Paras Nath Chaudhary Resident of Village -
Basudeopur, P.O. + P.S. - Kajra, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mamta Chaudhary Wife of Ravikash Kumar, Daughter of Late Nand
Kishore Chaudhary Resident of Mohalla - Chandwara, Azad Nagar, P.S.
- Chandwara, District - Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Ram Anurag Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 13-08-2015 No one appears for the petitioner.

The prayer for anticipatory bail of the petitioner in relation to an offence under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act now seems to have become academic because during pendency of this criminal case and in fact in course of disposal of this application, the parties had sought to settle their differences as is clearly reported in the mediator's report dated 13.5.2015, which reads as follows:-

"As per the Hon'ble Court's order dated 01.05.2015 passed in Cr. Misc. No. 12313 of 2015 both the parties appeared for mediation.

After hearing the parties and coming to know their willingness, both the parties have been sent from the Mediation Centre itself to live together and to lead their

conjugal life as per their choice.

In furtherance of the Mediation Proceeding both are under obligation to report their experience(s) on 24.06.2015. But, the period granted by the Hon'ble Court to report about the Mediation proceeding is going to expire on 19.05.2015.

Hence, to report finally about the matter may kindly be extended taking into account the aforesaid facts and circumstances."

In view of the above, if the petitioner appear before the court below within a period of four weeks from today along with his wife opposite party no.2 and the court below on making enquiry from both of them that they are having no longer any grievance in their matrimonial life and that they are living together as has been noted in the report of the Mediator, shall grant bail to the petitioner, namely, Ravikash Kumar on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, East Muzaffarpur in connection with Complaint Case No. 3199 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address

of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

(iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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