

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49580 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -MAHILA PS District- JEHANABAD

=====

1. Md. Khalid S/o Md. Khalik Ansari, resident of village - Mukhdumchak,
P.S. - Sigori, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanauwar Khatoon, D/o Md. Nigamuddin, w/o Md. Khalid, resident of
village - Marua, P.S. - Jehanabad, District - Jehanabad.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. M.Rab (App)

For the Informant : Mr. Arun Kumar, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

13 07-04-2017 Heard learned counsel for the petitioner, informant
and learned counsel for the State.

Learned counsel for the petitioner submits that he
has no instruction in the matter at present but from the pleadings
made in the petition it appears that the petitioner gave Talaq to the
informant earlier and transmitted Dainmohar through post.

Since the matter is pending before this court since
30.10.2015, it is being considered on merits.

The petitioner being husband of the informant is
apprehending arrest in a case registered for the offences
punishable under sections 498A/34, 504 and 323 IPC.



Learned counsel for the informant submits that the informant is ready to resume the conjugal life but the petitioner, on one pretext or the other, is not ready to keep the informant as wife.

Learned counsel for the State submits that the thrust of accusation is against the petitioner.

On the joint prayer of the parties, this Court vide order dated 20.10.2016, referred the matter to the Mediation & Conciliation Centre of the Bihar State Legal Service Authority. The report of the Mediator dated 14.12.2016 at Flag X Suggests that the petitioner appeared only on one date before the Mediator, and on the last date neither the petitioner nor O.P. No. 2 appeared, hence in absence of the parties, the issue could not be resolved through the process of mediation.

Considering the fact that this case is being adjourned for about one and half years allowing the parties to get the issue reconciled but the issue could not be resolved due to apathetic attitude of the petitioner, this court is not inclined to grant anticipatory bail to him.

Let the learned court below consider the prayer for regular bail of the petitioner in case the petitioner surrenders within



six weeks from today in connection with Jehanabad Mahila P.S.
Case No. 26 of 2015 pending in the court of learned C.J.M.
Jehanabad.

This application is disposed of with the aforesaid
observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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

