

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16004 of 2019**

Arising Out of PS. Case No.-208 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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Mukesh Kumar @ Mukesh Kumar Yadav @ Mukesh Yadav, Son of Dinesh
Yadav, Resident of Raja Bigha, P.S.- Guraru, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi, Daughter of Raju Yadav, R/o Village- Guddu, P.S.- Gurua,
District- Gaya, W/o Mukesh Yadav, Village- Raja Bigha, P.S.- Guraru,
District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 02-09-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 208 of 2018, disclosing

offences under Sections 323, 341, 498A, 313, 307 and 120B of

IPC.

On appearance of the opposite party no. 2, the matter
was referred to the Patna High Court Mediation &
Reconciliation Center, vide order dated 22.05.2019. The report
of Mediator is available on record at Flag "N" which disclosed
that in spite of sincere efforts the dispute between the parties
could not be resolved.

Submission of learned counsel for the petitioner is
that the whole allegation is false and concocted and he is still



ready to keep her with dignity and care and opposite party no.1 was also ready to reside with him but his father wants Rs.15 lakhs to be paid as one time settlement and as such, the mediation failed.

Learned counsel for the opposite party no.2, has also submitted that opposite party no.2 is also ready to reside with the petitioner, if the petitioner is ready to bear her daily and medical expenses and other expenses.

Having heard both sides, as the matter relates to matrimonial dispute between the parties, it is better to dispose of the application with a direction to the petitioner to surrender before the learned court below on 11.09.2019 and on that day, the opposite party no.2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and will provide her daily expenses, medical expenses as well as other expenses and to take her from the Court itself, then he will be released on provisional bail for a period of 06 months to his own satisfaction. During that period, the learned court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the second week of the month before the learned court below. Once the court below is satisfied



with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the court below shall confirm the bail bonds of the petitioner otherwise, pass any other orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

It is also made clear that if the opposite party no.2 will not appear on the date fixed, the court below shall release the petitioner on that day.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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