

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69796 of 2019

Arising Out of PS. Case No.-2567 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Kishore Manjhi Son of Sri Rajbali Manjhi Resident of Village - Belshand,
O.P. Madhopur, P.S.- Barauli, Distt - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Devi Wife of Kishore Manjhi Resident of Village - Belshand, O.P. Madhopur, P.S.- Barauli, Distt - Gopalganj. At present residing at village - Saraiya Parendra, O.P. Madhopur, P.S.- Barauli, Distt - Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 18-06-2020 The mater has been taken up through virtual court proceeding.

None appears for the petitioner or the complainant.

The petitioner, who is languishing in custody since 30.08.2019 has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 498(A) and 406 of the IPC and Section 4 of the Dowry Prohibition Act.

The petitioner, being the husband of the complainant, is languishing in custody since 30.08.2019 in a complaint case wherein process has been directed to be issued after cognizance being taken under Section 498A of the IPC and Section 4 of the



Dowry Prohibition Act.

It appears that vide order dated 14.01.2020, notices were issued to the complainant and subsequently, the complainant had entered appearance.

On appearance of the complainant since it was submitted on her behalf that she is ready for settlement in terms of payment of one time settlement amount, the petitioner was granted provisional bail vide order dated 19.03.2020 and the matter was referred to mediation centre, but the office notes dated 30.05.2020 reflects that the matter could not be referred to mediation centre since it was not functional. Due to lock-down since the physical court proceedings are not functional, in the interest of justice, the application is being considered on merits. Accordingly, the order dated 19.03.2020 stands modified.

Considering the nature of accusation, period undergone in custody, the present stand of the petitioner, the provisional bail granted to the petitioner vide order dated 19.03.2020 in connection with Complaint Case No.2567 of 2017, Trial No.2007 of 2019 pending in the Court of learned SDJM, Gopgalganj is hereby confirmed, subject to the condition that the learned court below will refer the matter to mediation for resolving the issue in terms of payment of one time



settlement amount.

It is expected from the petitioner and the informant to participate in such mediation.

The application is accordingly disposed of.

(Dinesh Kumar Singh, J)

B.Kr./-

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