

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1800 of 2019

Arising Out of PS. Case No.-275 Year-2018 Thana- RAJAON District- Banka

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1. PAPPU MANDAL @ PAPPU KUMAR son of Late Dhirro Mandal Resident of Village-Amhara, P.S.- Rajoun, District -Banka.
 2. Bado Devi wife of Late Dhiro Mandal Resident of Village-Amhara, P.S.- Rajoun, District -Banka.

... .. Petitioners.

Versus

1. The State Of Bihar.
2. Juganu Devi wife of Pappu Mandal Resident of Village-Amhara, P.S.- Rajoun, District -Banka.

... .. Opposite Parties.

Appearance :

For the Petitioners	:	Mr. Brij Nandad Prasad, Advocate.
For the State	:	Mr. Umeshnand Pandit, A.P.P.
For the O.P. No.2	:	Mr. Diwakar Upadhyaya, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

10 18-08-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the opposite party no.2, through Video Conferencing.

The petitioners apprehend their arrest in connection with Rajoun P.S. Case No.275 of 2018 registered under Sections 341, 342, 323, 307, 498(A) and 504/34 of the Indian Penal Code besides Section 27 of the Arms Act.

Learned counsel for the petitioners submits that, earlier, vide order dated 19.02.2020 passed by this Court, on the joint prayer, the matter was directed to be referred to the



Mediation and Conciliation Centre, Patna High Court, Patna, for settlement of the dispute in between the petitioners, who are husband and mother-in-law of the opposite party no.2 respectively and the opposite party no.2, for settlement of the dispute in between them but, thereafter, due to Pandemic COVID-19, the proceeding of this Court is not functioning in physical mode in normal course, due to that reason, there was no occasion for the parties to appear before the Mediation and Conciliation Centre, Patna High Court, Patna, for settlement of their dispute. Since the parties are ready to settle their dispute amicably, therefore, after giving provisional pre-arrest bail to the petitioners, the court below may be directed to refer the matter before the District Mediation Centre, Banka, so that the parties may easily settle their dispute there.

On the other hand, learned counsel for the opposite party no.2 submits that the opposite party no.2 is also ready to lead her conjugal life with the petitioner no.1, who is her husband, and if the petitioner no.1 is ready to keep the opposite party no.2 with full honour and dignity, he has no objection in allowing the provisional pre-arrest bail to the petitioners and the learned court below may be directed to refer the matter before the District Mediation Centre, Banka, for settlement of their



dispute there.

In view of the aforesaid submissions of the learned counsel for the petitioners and the learned counsel for the opposite party no.2, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on provisional pre-arrest bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No.275 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C., with a direction to the Chief Judicial Magistrate, Banka, to refer the matter for settlement of the dispute in between the petitioners and the opposite party no.2 before the District Mediation Centre, Banka, immediately after receipt/production of a copy of this order.

It is made clear that if the dispute in between the petitioners and the opposite party no.2 is settled before the District Mediation Centre, Banka, then the court below shall confirm the provisional pre-arrest bail of the petitioners and if the dispute is not settled in between them at the end of the petitioners, the court below shall be at liberty to cancel the provisional pre-arrest bail of the petitioners. If the dispute is not



settled in between them at the end of the opposite party no.2,
then also, the court below shall confirm the provisional pre-
arrest bail of the petitioners.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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