

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13325 of 2020

Arising Out of PS. Case No.-1902 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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RITESH ANAND S/O Dhruv Kumar Das Resident of Village - Mukheria,
P.S.- Jagdishpur, District - Bhagalpur. Presently residing at Bhikhanpur,
Gumti No. 1, Naya Tola, P.S. - Ishakchak, District - Bhagalpur.

... .. Petitioner.

Versus

1. THE STATE OF BIHAR
2. Prakash Chandra Ghosh S/O Late Sunil Kumar Ghosh Resident of Ganga
Vihar Colony, Rani Talab, P.S.- Industrial, District - Bhagalpur.

... .. Opposite Parties.

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Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Senior Advocate. Mr. Bhaskar Shankar, Advocate.
For the State	:	Mr. Dilip Kumar No.1, A.P.P.
For the Opposite Party No.2:	:	Mr. Devendra Kumar Pandey, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-02-2021 As prayed for, let the learned counsel for the petitioner

remove the defect(s), as pointed out by the office vide its notes dated

22.02.2020, within four weeks of starting of the Court proceeding in

physical mode properly.

Heard learned Senior counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2.

The petitioner apprehends his arrest in connection with

Complaint Case No.1902 of 2018 registered under Sections 323,

498A, 380, 420, 504 and 506 of the Indian Penal Code besides

Sections 3/4 of the Dowry Prohibition Act.



Learned Senior counsel for the petitioner submits that there is chance of settlement of the dispute in between the petitioner and the opposite party no.2, who are husband and the father of the wife of the petitioner respectively, amicably.

Learned counsel for the opposite party no.2 also submits that the opposite party no.2, who is the father of the wife of the petitioner, also wants to settle the dispute amicably with the petitioner and the petitioner may be granted the privilege of pre-arrest bail provisionally with a direction to the court below to refer the matter before the District Mediation Centre, Bhagalpur, for settlement of the dispute in between the petitioner and the opposite party no.2, who is the father of the wife of the petitioner.

Having considered the facts and the circumstances of the case and the submissions of the learned counsel for the petitioner and the learned counsel for the opposite party no.2, let the petitioner, above named, in the event of his arrest or surrender by him within four weeks from today, be enlarged on provisional pre-arrest bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Bhagalpur, in connection with Complaint Case No.1902 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C., with a direction to the Additional Chief Judicial Magistrate-II, Bhagalpur, to refer the matter for settlement of the dispute in between the petitioner and the opposite



party no.2, who are the father of the wife of the petitioner, before the District Mediation Centre, Bhagalpur, immediately after receipt/production of a copy of this order with a direction to the District Mediation Centre, Bhagalpur, to submit its report within six months thereafter.

It is made clear that if the dispute in between the petitioner and the opposite party no.2, who is the father of the wife of the petitioner, is settled amicably before the District Mediation Centre, Bhagalpur, then the court below shall confirm the provisional pre-arrest bail of the petitioner and if the dispute is not settled in between them at the end of the petitioner, the court below shall cancel the provisional pre-arrest bail of the petitioner. If the dispute is not settled at the end of the opposite party no.2, who is the father of the wife of the petitioner, then also, the court below shall confirm the provisional pre-arrest bail of the petitioner.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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