

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27834 of 2019

Arising Out of PS. Case No.-1863 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RABINDRA SAH @ RAVINDRA SAH, Son of Late Raghunath Sah
Resident of Village- Nirpur, Tola, Raghunathpur, Police Station- Chiraiya,
District- East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anju Devi, Wife of Rabindra Sah @ Ravindra Sah, D/o Dashrath Prasad at
Present R/o Village- Mathia Pokhara, Dhaka Road, Motihari, P.S.-
Chhatauni, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

14 31-08-2021 Heard Mr. Dhurendra Kumar, learned advocate

for the petitioner and Mr. Ataur Rahman, learned APP

for the State.

There is no appearance on behalf of Opposite

Party No. 2.

Vide order dated 29.04.2019, notice was issued

to Opposite Party No. 2 and the petitioner was given

interim reprieve.

Later, the case of the petitioner was sent to the

Mediation Centre of Patna High Court for amicable



settlement of disputes.

However, it appears that the dispute could not be resolved because of non-appearance of either of the parties before the Mediator. Later, the interim order was recalled on the ground that as promised by the petitioner, no joint affidavit could be filed regarding settlement of dispute.

Under the aforesaid circumstances, this Court deems it appropriate to dispose off this anticipatory bail application with a direction that in case the petitioner surrenders before the court below along with a joint affidavit that the dispute with his spouse has now been settled and that both the parties are ready to live according to the settlement, the petitioner shall be granted bail on his furnishing bond in the sum of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, East Champaran, Motihari in connection with Trial No. 2387 of 2018, arising out of



Complaint Case No. C-1863 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

If for some reason, the joint affidavit is not filed, the court below shall consider the application of the petitioner on merits.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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