

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28222 of 2020

Arising Out of PS. Case No.-326 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

VIJAY KUMAR JHA Son of Late Ganesh Jha Resident of Village- Harpur,
P.S.- Musarigharari, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rashmi Kumari W/o Vijay Kumar Jha, Daughter of Dilip Kumar Chaudhary
Resident of Village- Rampur Ekshila, P.S.- Ujiarpur, District- Samastipur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar-III, APP
For the O.P. No. 2	:	Mr. Saket Tiwary, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 02-08-2021 Heard Mr. Alok Kumar Sinha, learned Advocate
for the petitioner and Mr. Saket Tiwary for the opposite
party no. 2. The State is represented by Mr. Binod
Kumar-III, learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 326 of
2019 dated 26.07.2019 in which cognizance has been
taken under Sections 498A, 323, 504 and 34 of the
Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

This case was heard on 04.12.2020 when the
opposite party no. 2 was noticed and the petitioner was
granted provisional bail.



On appearance of the opposite party no. 2 through her Advocate, this Court on 08.02.2021 referred the matter to the Mediation Centre of Patna High Court for an amicable settlement. That order was passed on the consent of both the parties.

The matter was taken up again and on 19.05.2021 and this case was adjourned to a later date (5th of July, 2021) awaiting the outcome of the mediation.

Because of the pandemic, the mediation process could not be completed but on 06.07.2021, this Court was informed that the parties have settled their dispute and a supplementary affidavit has also been filed before the court below for compounding the case.

No order has been passed in that case till date.

Under such circumstances, learned counsel for the petitioner has submitted that his provisional bail be confirmed.

The learned counsel for the opposite party no. 2 though has confirmed the aforementioned statement about the settlement of matrimonial dispute but makes an additional prayer that the court below be directed to accept the settlement and pass necessary orders in accordance with law without any delay.

Considering the aforementioned background facts



and development, this Court directs that now it would not be necessary for the mediator to proceed with the process of mediation.

The order by which this case was referred to the Mediation Centre is hereby recalled.

Since the dispute has already been settled and an application for compounding has also been filed before the court below, the provisional bail granted to the petitioner by order dated 04.12.2020 is hereby confirmed.

The court below is expected to take up this matter at the earliest and pass necessary orders in accordance with law.

The application stands disposed off.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

