

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3692 of 2021

Arising Out of PS. Case No.-63 Year-2020 Thana- MAHILA P.S. District- Kaimur (Bhabua)

1. Shailendra Kumar Singh Son Of Srinivas Singh Resident Of Village- Dharwar, P.S.- Jamalpur, Distt- Mirzapur (Uttar Pradesh)
2. Srinivas Singh Son Of Late Paras Nath Singh Resident Of Village- Dharwar, P.S.- Jamalpur, Distt- Mirzapur (Uttar Pradesh)
3. Indrawati Devi W/O Srinivas Singh Resident Of Village- Dharwar, P.S.- Jamalpur, Distt- Mirzapur (Uttar Pradesh)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sweta Kumari W/O Santosh Kumar Singh, D/O Narad Singh Resident Of Village- Dharwar, P.S.- Jamalpur, Distt- Mirzapur (uttar Pradesh), Presently Residing At Village- Mokri, P.S.- Bhabhua, Distt- Kaimur, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma- Sr. Advocate
For the Opposite Party/s	:	Mr. Ravi Shankar Sahay- Advocate
For the State	:	Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-09-2021 Heard Mr. Yogesh Chandra Verma, the learned Senior Advocate for the petitioners, Mr. Ravi Shankar Sahay, the learned Advocate for the opposite party no.2 and the learned APP for the State.

The petitioners who are the brother-in-law and parents-in-law of opposite party no.2 seek bail in anticipation of their arrest in connection with Bhabhua Mahila P. S. Case No.63 of 2020, instituted for the offences under Sections 341, 323, 498(A), 307 and 34 of the Indian Penal Code and Section 3/ 4 of



the D.P. Act.

Apart from the facts of the case, Mr. Verma has submitted that in the case of husband of the opposite party no.2 vide Cr. Misc. No.15 of 2021, a Bench of this Court by order dated 03.08.2021 had referred the matter to the mediation centre of Patna High Court and the husband (petitioner therein) was granted interim reprieve.

The learned Advocate for the opposite party no.2 has submitted that in the mediation proceeding, the specific stand of her husband is that he shall take instructions from his family members before making any commitment with respect to settlement of matrimonial disputes.

Mr. Sahay, the learned Advocate for the opposite party no.2 therefore submits that the petitioners in this case may be given interim relief but they ought to be directed to participate in the mediation proceeding and see to it that the dispute is amicably settled.

The prayer made on behalf of opposite party no.2 is justified.

Accordingly, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on



bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua Mahila P. S. Case No.63 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

However, they shall be under an obligation to participate in the mediation proceedings and facilitate the process of settlement of dispute between the spouses. Should they be found unwilling to do so, it would be open for the opposite party no.2 to approach this Court for cancellation of their anticipatory bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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