

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83707 of 2019**

Arising Out of PS. Case No.-598 Year-2015 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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MIRTUNJAY KUMAR S/o Sri Lalan Yadav R/o village- Lohgar, P.S.-
Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Meena Devi W/o Mirtunjay Yadav R/o village- Suppi, P.S.- Makhdumpur,
District- Jehanabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Upendra Kumar, Adv.
For the State	:	Mr.Atul Chandra, APP
For the O.P. No.2	:	Mr.Mukesh Kumar No.1, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-12-2021 Heard the parties.

The petitioner apprehends his arrest in a case registered under sections 323, 379, 498(A) of the IPC and sections 3/4 of Dowry Prohibition Act.

A mediation report dated 15.11.2021 is kept at Flag 'M' whereby the learned Mediator has prayed for extension of time for conducting the mediation proceeding in the present case, as due to precautions against pandemic of COVID-19 & Lockdown, the same could not be initiated.

In my view, instead of keeping the matter pending in the High Court, the parties should be given liberty to file an application before the learned Court below to refer the matter



to the District Mediation Centre.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. The petitioner has relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006 (3) PLJR 182.*** It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.598/2015, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C.

If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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