

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83457 of 2019**

Arising Out of PS. Case No.-54 Year-2018 Thana- GALGALIYA District- Kishanganj

MANOJ KUMAR SINGH @ V.I.P. Son of Shiv Shankar Mahto Resident of
Village - Khosidangi, P.S.- Galgaliya, Distt - Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ram Babu Singh Son of Late Saryug Singh, Resident of Village - Bareta Janedhar, P.S.- Barari, Distt - Katihar. Presently residing at Village - Kukurbaghi, P.S.- Galgaliya, Distt - Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 06-12-2021 Heard.

A co-ordinate Bench of this Court, vide order dated 18.03.2020, has granted provisional bail to the petitioner herein in connection with Galgaliya P.S. Case No. 54 of 2018 for the offence punishable under Sections 420, 406, 467, 468 and 505 of the Indian Penal Code, whereafter it is informed that the petitioner has also been released on provisional bail by the learned court below.

Since the matter was pending before the learned Mediator in the ongoing proceedings and the same could not be concluded on account of the impending Covid-19 Pandemic, the learned Mediator has submitted a report that he requires further



time for conducting the mediation proceedings.

This Court is of the view that it would not be in the interest of justice to keep the present petition pending, hence, it would be appropriate that the mediation is conducted by the learned court below itself and depending upon the outcome of the same, the question regarding confirmation or revocation of the provisional bail granted to the petitioner by this Court shall be determined.

The learned counsel for the petitioner submits that the petitioner is not averse to the idea of being relegated to the mediation proceeding to be conducted by the learned Court of Judicial Magistrate- 1st Class, Kishanganj.

The learned APP for the State, Shri Ashok Kumar also submits that the aforesaid course would be the best in the interest of justice.

Accordingly, the present petition stands disposed of with a direction to the petitioner and the informant of this case to appear before the learned court of Judicial Magistrate- 1st Class, Kishanganj on 20th December, 2021 at 4 P.M., whereafter the learned court of Judicial Magistrate- 1st Class, Kishanganj shall engage the petitioner and the informant in mediation proceedings.



It is made clear that the learned court below shall be free to determine the issue regarding either confirmation of the provisional bail already granted by this Court or revocation of the same depending upon the final outcome of the mediation proceedings to be conducted by the learned court below as also considering the merit of the case without being influenced by the fact that it had already rejected the case of the petitioner for grant of bail.

(Mohit Kumar Shah, J)

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