

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18613 of 2021

Arising Out of PS. Case No.-925 Year-2019 Thana- ARARIA District- Araria

=====

FULCHAND MANDAL, Son of Late Santu Mandal, Resident of Village -
Hridaypur ward no. 07, P.S.- Araria (R.S.), District - Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Tulai Singh, S/o Raghuni Singh, R/o village-Nandanpur Ward No. 7, P.S.-
Bousi Basetti, Dist-Araria
3. Munni Devi, D/o Tulai Singh, R/o village-Nandanpur Ward No. 7, P.S.-
Bousi Basetti, Dist-Araria

... .. Opposite Parties

=====

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Rana, Advocate
For the State	:	Mr.Rabindra Kumar, A.P.P.
For the O.P. No. 3	:	Mr. Anil Prasad Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

13 20-07-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within two weeks
from today.

Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 3 and Mr. Rabindra Kumar,
learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Araria P.S. Case No. 925 of 2019 registered for
the offences punishable under Sections 341, 323, 324, 307 and
498A of the Indian Penal Code. He has no criminal antecedent.

Learned counsel for the petitioner submits that the
petitioner was earlier granted provisional bail after remaining



custody for almost one year and the petitioner happens to be the husband of the daughter of the informant and now he is in custody since 08.02.2022.

Mr. Rabindra Kumar, learned APP for the State and Mr. Anil Prasad Singh, learned counsel for the opposite party no. 3 are present and have opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that the petitioner being unable to pay the amount in terms of the order dated 30.07.2021 granting him provisional bail has gone into custody w.e.f. 08.02.2022, he had earlier remained in custody from 22.08.2020 to 30.07.2021 and presently the case is not proceeding and the trial is not likely to be concluded in near future, in the nature of the present dispute which arises out of a matrimonial discord between the petitioner and opposite party no. 3, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 925 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Mr. Anil Prasad Singh, learned counsel for the opposite party no. 3 has submitted that this matter is required to be resolved through Mediation.

The opposite party no. 3 is at liberty to file an appropriate application in the learned court below for taking efforts to get the matter resolved through mediation. If any such application is filed, the learned court below shall do the needful towards sending the same to the Mediation Centre attached to the court for further action.

(Rajeev Ranjan Prasad, J)

vats/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

