

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23978 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- SURYAGARHA District- Lakhisarai

NITYANAND MAHTO Son of Bangali Mahto Resident of Village -
Kawadpur, P.S.- Surajgarha (Manikpur), District - Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bina Devi Wife of Nityanand Mahto R/o Village - Kawadpur, P.S.-
Surajgarha (Manikpur), District - Lakhisarai. At present residing at D/o-
Sunil Mahto, Resident of Village - Patel Nagar, Kashichak Bagicha, P.S.-
Piri Bazar, District - Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner submits that vide
order dated 03.08.2022, provisional bail was granted to the
petitioner and notice was issued. From the office notes, it
transpires that upon issuance of notice, service report has been
received, by which it transpires that service report has been
served upon the mother of the informant/O.P. No. 2. It has been
treated to be validly served.

Learned counsel for the State opposes the prayer for

bail.

Petitioner is on provisional bail, even upon service of notice, the O.P. No. 2 has not appeared before this Court. In this circumstance, this Court has no option but to confirm the bail of the petitioner and direct the Court below to refer the matter before mediation in the Civil Court itself and upon receiving the report of the mediation, take the appropriate step in accordance with law.

With this observation, the bail application is disposed of.

(Dr. Anshuman, J.)

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