

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72395 of 2021**

Arising Out of PS. Case No.-86 Year-2021 Thana- SAHAJITPUR District- Saran

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SURESH MAHTO @ SURESH KUMAR PRASAD Son of Lal Babu Mahto
Resident of Maricha, P.S.- Sahajitpur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanju Devi W/o Suresh Mahto @ Suresh Kumar Prasad, Daughter of Shyam Sundar Mahto R/o- Satua, P.S.- Baniyapur, District- Saran at Chhapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ghanshyam Tiwary, Advocate
For the Opposite Party/s	:	Mr.Rajendra Singh, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2022 Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Rajendra Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Sahajitpur P.S. Case No. 86 of 2021 registered for the offences punishable under Section 498-A/34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act. He is in custody since 30.09.2021 having no criminal antecedent as stated in paragraph '3' of the application.

Learned counsel for the petitioner submits that on a bare perusal of the First Information Report, it would appear that because of the matrimonial discord this case has been



lodged in which the entire family members have been made accused. There is no specific allegation of causing assault upon the informant and the petitioner has remained in custody in connection with this case for about eight months, investigation against him is complete and his presence may be secured in course of trial.

Learned counsel for the informant has suggested at the bar that this being a case of matrimonial discord. The parties may be asked to go to the mediation centre.

Learned A.P.P. for the State has also endorsed the submission of learned counsel for the informant.

Having regard to the submissions noted hereinabove and on finding that this is a case arising out of a matrimonial dispute, there is no allegation of assault, the petitioner has already remained in custody for about eight months, investigation against him is complete and his presence is also required to resolve the dispute in the mediation centre, this Court directs release of the petitioner above named 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 Sri Sanjay Kumar Saroj, learned Judicial Magistrate - 1st Class, Saran at Chapra in connection with



Sahajitpur P.S. Case No. 86 of 2021, 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 step 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.

Let the parties submit an application in the learned court below to refer the matter to the mediation centre attached to the learned court. If such an application is filed, the learned court below shall pass an appropriate order facilitating resolution of dispute between the parties through mediation.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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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'.

