

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22655 of 2022

Arising Out of PS. Case No.-74 Year-2021 Thana- MAHILA PS District- East Champaran

MUNNA KUMAR YADAV S/o Narayan Yadav Resident of Village - Navin
Gandhi Nagar Hussaini, P.S. - Dumariaghat, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi D/o- Gorakh Roy Resident of Village - Jaisinghpur, P.S.-
Turkauliya, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anjani Kumar, Adv.
For the Opposite Party/s	:	Mr.Dr.Mrityunjaya Kr.Gautam, APP
For the Informant	:	Mr. Sanjay Kumar Tiwari, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 18-01-2023 Heard the learned counsel for the petitioner and the learned APP for the State as also the learned counsel appearing for the informant.

The petitioner seeks regular bail in connection with Mahila P.S. Case No. 74 of 2021, registered for the offence punishable under Section 498(A) of the Indian Penal Code Section 3 /4 of the D.P.Act.

According to the Informant, her marriage was solemnized on 21.5.2007 with the petitioner, whereafter she had gone to her matrimonial home, however, subsequently, the petitioner, who



is the husband of the informant and other accused persons started ill-treating the informant on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 4.12.2021. The learned counsel for the petitioner has further submitted that the petitioner is ready and willing to keep his wife with due honour and dignity and in case, any mediation proceedings are initiated, he is ready to participate in the same for the purposes of settling the matrimonial dispute in question amicably.

Per contra, the learned APP for the State and the learned counsel appearing for the informant have though vehemently opposed the prayer for bail, but are not averse to the parties being relegated to the mediation process.

Having regard to the facts and



circumstances of the case and considering the submissions made by the learned counsel for the parties, I deem it fit and proper to grant provisional bail to the petitioner herein, subject to such conditions as may be deemed fit & proper to be imposed by the learned Court of S.D.J.M., Sadar, Motihari in connection with Mahila P.S. Case No. 74 of 2021.

It is further directed that the learned court below shall then engage the complainant-wife and the petitioner in mediation proceedings, with a view to settle the matrimonial disputes between them.

It is needless to state that the learned court below shall take a final call with regard to either confirming the provisional bail to be granted to the petitioner or revoking the same subject to the final outcome of the mediation proceedings as also considering the case of the petitioner on merits, without being prejudiced by the dismissal of his bail petition by the learned court below.

The present petition stands disposed off on



the aforesaid terms.

(Mohit Kumar Shah, J)

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