

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25625 of 2022

Arising Out of PS. Case No.-178 Year-2021 Thana- NAGARNAUSA District- Nalanda

PAPPU YADAV Son of Jai Prakash Yadav Resident of Village - Moniumpur,
P.S.- Nagarnausa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Prasad

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Nagarnausa P.S. Case No. 178 of 2021, registered for the offence punishable under Sections 323, 498(A), 379, 34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

The allegation is regarding the marriage of the informant having been solemnized with the petitioner in the year, 2019, whereafter a child was born out of the said wedlock, however, she died subsequently. It is also alleged that the



accused persons including the petitioner herein, who is the husband of the informant, used to mentally and physically harass the informant on account of non-fulfillment of the demand for dowry and had finally ousted her from her matrimonial home.

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 6.1.2022. The learned counsel for the petitioner has submitted that the petitioner is ready and willing to amicably settle the matrimonial dispute in question and for the said purpose, he is ready to participate in the mediation proceedings, if any, to be initiated by the learned trial court.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record, I deem it fit and proper to grant provisional bail to the petitioner herein, subject to such conditions, as may be deemed fit and proper to be imposed by the Ld. Court of Sub-Divisional Judicial Magistrate, Hilsa, Nalanda in connection with Nagarnausa P.S. Case No. 178 of 2021.

It is further directed that the learned court below shall then engage the informant-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 earlier 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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