

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36216 of 2022

Arising Out of PS. Case No.-397 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

ANIL PANDEY Son of Late Prabhu Pandey Resident of Village - Baniyapur
Chhaper, Bikrampur, P.S.- Kuchaikoat, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satya Devi, w/o Anil Pandey, R/o village-Baniya Chhaper, Bikrampur, P.S.-
Kuchaikoat, District-Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 23-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State as also the
learned counsel appearing for the Opposite Party
No. 2 i.e. the informant.

The petitioner seeks regular bail in
connection with Kochaikot P.S. Case No. 397 of
2021, registered for the offence punishable under
Sections 323, 324, 341, 354-B, 498A and 504 of
the Indian Penal Code.

The allegation is regarding matrimonial
dispute having arisen in between the petitioner



and his wife i.e. the informant, who are stated to have solemnized marriage about 22 years back.

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 16.9.2021. The learned counsel for the petitioner has further submitted that the petitioner is not averse to the idea of participating in mediation process, in case the learned court below initiates the same.

Per contra, the learned APP for the State and the learned counsel appearing for the Opposite Party No. 2 i.e. the informant have though vehemently opposed the prayer for bail, but have submitted that the informant is not averse to the idea of participating in the mediation proceedings, if any, to be initiated by the learned court below.

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 ACJM-VII, Gopalganj in connection with Kochaikot P.S. Case No. 397 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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