

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41264 of 2022

Arising Out of PS. Case No.-156 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

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VINAY PANDEY S/O SURENDRA PANDEY, resident of village- Chhewari,
P.S.- Ramgarh, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Neha Devi, wife of Vinay Pandey, resident of village-Chhewari, P.S-
Ramgarh, District- Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajani Kant Pandey, Advocate
For the State	:	Mr. Vinod Shankar Modi, APP
For the informant	:	Mr. Pawan Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-01-2023 Heard the learned counsel for the

petitioner and the learned APP for the State as also

learned counsel for the informant.

The petitioner seeks regular bail in
connection with Ramgarh P.S. Case No. 156 of
2022, registered for the offences punishable
under Sections 341/ 323/ 504/ 498(A)/ 313/ 34 of
the Indian Penal Code.

The case of the prosecution in brief
according to the informant, is that her marriage
was solemnized according to Hindu rites and



rituals on 10.02.2022 with the petitioner wherein the father of the informant is stated to have given gifts, jewelry, etc. apart from cash amount and other articles, however, after the informant had come to her matrimonial home, the accused persons including the petitioner herein started torturing her for not bringing a bullet motorcycle. It is also alleged that the petitioner had, in the interregnum period, become pregnant and upon having informed her husband, i.e. the petitioner herein, the petitioner herein had administered a medicine by playing fraud upon her resulting in her fetus being aborted.

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 16.05.2022. The learned counsel for the petitioner has submitted that the petitioner is ready to participate in the mediation process, in case, this Court deems it fit and proper so that the matrimonial dispute in



question can be settled amicably and for the said purpose, provisional bail be granted to the petitioner herein.

Per contra, the learned counsel appearing for the informant has submitted that though the marriage of the petitioner and the informant was solemnized on 10.02.2022, immediately she was thrown out of her matrimonial home on 04.05.2022, i.e. only after three months, hence, the complicity of the petitioner and his family members is writ large from the records. Nonetheless, the informant is also ready to participate in mediation proceedings so that the dispute in question can be settled amicably.

I have heard the learned counsel for the parties and I find that it would be appropriate that if both the parties are engaged in mediation process with a view to settle the dispute amicably, hence, for the said purposes, I deem it fit and proper to direct for release of the petitioner on provisional bail subject to such



conditions as may be deemed fit and proper to be imposed by the learned Court of A.C.J.M.-1st, Kaimur at Bhabua in connection with Ramgarh P.S. Case No. 156 of 2022, however, subject to the condition that the petitioner shall participate in mediation proceedings to be initiated by the learned Court below, in seisin of the present case. It is further directed that the learned Court below shall issue notice to the informant and thereafter, initiate the meditation proceeding in between the petitioner and his wife with a view to settle matrimonial dispute amicably. The learned Court below is further directed to take a final call with regard to either cancelling the provisional bail to be granted to the petitioner or making the same absolute after completion of the mediation proceeding to be initiated by the learned court below as also upon considering the materials available on record afresh without being prejudiced by its earlier order dated 06.07.2022, rejecting the petition of the petitioner for grant of bail.



The present petition stands disposed off
with aforesaid observations and directions.

(Mohit Kumar Shah, J)

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