

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67604 of 2023

Arising Out of PS. Case No.-107 Year-2022 Thana- MAHILA P.S. District- Nalanda

Akhilesh Kumar son of Vijay Chauhan Village- Sahajpura Ps- Kadirganj Dist-
Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari D/o- Rajesh Chauhan Village- Dammar Bigha Ps- Manpur
Dist- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar Mr. Raj Kishor Prasad
For the Opposite Party/s	:	Mr. Binod Kumar- A.P.P. Mr. Gaurav Kumar Verma Mr. Madhav Kumar Mr. Nitin Shashi Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 25-04-2024 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The learned counsel appearing on behalf of the
informant fairly submits that by order dated 27.02.2024, the
case was referred for mediation and the next date fixed in
the case was 22.04.2024. It is next submitted that the
mediation proceedings commenced, but on the first date
informant was present and the petitioner was absent, on the
second date the informant was absent and petitioner was
present and on the third date, both petitioner and the



informant could not come on account of election.

3.The said submission of the learned counsel appearing on behalf of the informant is not disputed by the learned counsel appearing on behalf of the petitioner.

4.The Court completely fails to appreciate that when petitioner and the informant were not present in the mediation proceeding together even on one date, then on what basis the learned Mediator in his interim report dated 11.04.2024 recorded that the dispute between the parties is likely to be resolved.

5.The learned counsel appearing on behalf of the informant submits that the petitioner has performed his second marriage and is not ready to keep the informant, but the said submission of the learned counsel appearing on behalf of the informant that petitioner has performed his second marriage is disputed by the learned counsel appearing on behalf of the petitioner.

6.The learned counsel for the petitioner submits that petitioner seeks bail in anticipation of his arrest in Nalanda Mahila P. S. Case No.107 of 2022 registered for the



offences punishable under Sections 498(A), 341, 323, 379 and 34 I.P.C. and Sections 3 and 4 of the D. P. Act. It is further submitted that the investigation of the case is still pending.

7.The learned Additional P. P. submits that the offences for which the instant F.I.R. has been instituted carries punishment of less than 7 years.

8.The said submission of the learned Additional P. P. is not disputed by the learned counsel appearing on behalf of the petitioner and the learned counsel for the informant.

9. In view of the submission made by the learned Additional P. P., the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in **Cr. Misc. No.3536 of 2024 (Naushad Ansari vs. the State of Bihar)**.

10. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case within a period of three weeks from today with a web copy of the order dated 13.02.2024 in Cr. Misc. No.3536 of 2024 and the concerned Superintendent of Police shall ensure that the Investigating



Officer of the case strictly adheres to the direction contained
in the order dated 13.02.2024 in Cr. Misc. No.3536 of
2024.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

