

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24062 of 2025

Arising Out of PS. Case No.-713 Year-2024 Thana- AMARPUR District- Banka

=====

Kundan Kumar, aged about 21 years (Male) son of Fantush Pandit, resident of village- Koindha, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/o Fantush Singh R/o Village- Bhattichak, P.S.- Amarpur, District- Banka

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 13-08-2025 Heard Mr. Brij Nandan Prasad, learned counsel appearing on behalf of the petitioner and Mr. Binod Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Amarpur P.S. Case No. 713 of 2024, registered for the offence punishable under Sections 341, 323, 504, 506, 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. Considering the nature of allegation made in the FIR, the petitioner and the opposite party no. 2 willingly lived together and they got intimated. There is every hope that the relationship between the petitioner and the opposite party no. 2 can be resolved by way of mediation and learned District Court has not taken into consideration this aspect of the matter.



4. The learned District Court is directed to consider the case of the petitioner in light of the law laid down by the Apex Court in the case of *Naim Ahamed vs. State (NCT of Delhi)* reported in *(2023) 15 SCC 385* in view of the admitted relationship of the petitioner and the opposite party no. 2.

5. The learned District Court may consider to refer the matter, thereafter, to the learned Mediator by fixing the date of appearance of the parties.

6. During the course of entire period involved in resolving the dispute, no coercive steps shall be taken against the petitioner in connection with the aforesaid case.

7. Petitioner is directed to appear before the learned District Court on 28.08.2025 at 10:30 A.M.

8. In case of failure on the part of the petitioner, the interim protection granted to him shall lose its force automatically.

9. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

Niraj/-

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

