

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9488 of 2026

Arising Out of PS. Case No.-192 Year-2025 Thana- MALAHI District- East Champaran

Amrendra Kumar Son of Shiv Kumar Ram Resident of Village- Nagdaha,
P.S.- Malahi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mrs. X

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manjeet Kumar Mishra, Advocate.
For the Opposite Party/s	:	Mr.Shailendra Kumar, APP.
For the Informant	:	Mr. Upendra Prasad Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-05-2026 Heard learned counsel appearing on behalf of the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks pre-arrest bail in connection with Malahi P.S. Case No. 192 of 2025 registered for the offence punishable under Sections 115(2), 109, 352, 351(3), 64(1) and 61(2) of the BNS.

3. As per the allegation made in the F.I.R., the informant/victim was married to co-accused Dharmendra Kumar about four years ago, who is said to be suffering from serious illness. It is alleged that the petitioner, Amrendra Kumar, who is the brother-in-law (*dewar*) of the victim established physical relations with her on the false promise of marriage and



later refused to marry her. It is further alleged that on 08.04.2025, the petitioner along with other co-accused persons abused, assaulted and ousted the victim out of the house.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. It has been contended that the informant is the petitioner's own sister-in-law (*bhabhi*), and therefore the allegation pertaining to any illicit relationship is wholly improbable and unsustainable. Learned counsel further submitted that the petitioner, who is aged about 20 years and is presently pursuing his studies, was not present at the place of occurrence at the relevant point of time and has never subjected the informant to any assault or ill-treatment.

5. Learned counsel further submitted that the present dispute has arisen from personal and domestic discord arising out of the prolonged illness of the petitioner's brother, who happens to be the husband of the informant. Learned counsel, upon instructions and in presence of Mr. Upendra Prasad Singh, learned counsel appearing on behalf of the informant, further submitted that since the dispute is purely private in nature, having no adverse impact upon society or public interest at large, the parties are willing to explore the possibility of an



amicable settlement through mediation outside the Court.

6. Considering the desire of the parties, learned District Court is directed to release the petitioner **on pre-arrest bail provisionally, till the mediation concludes** on such terms and conditions as the learned District Court deems fit and proper and refer the matter for mediation to be carried out in accordance with Mediation Act, 2023 to give effect to “Mediation for the Nation 2.0”.

7. If the parties resolve their dispute outside the Court, the provisional bail granted to the petitioner shall be made absolute.

8. With aforesaid direction and observation, the present application stands disposed of.

9. Let a copy of this order be communicated to the Member Secretary, Bihar State Legal Services Authority and the Patna High Court Mediation Centre for the purpose of record.

(Purnendu Singh, J)

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