

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84544 of 2025**

Arising Out of PS. Case No.-295 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Narayan Das S/o Late Prafullo Prasad Das R/o - Baniya tola, P.S- Katihar  
Town, Distt- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Das W/o Narayan Das R/O - Baniya tola, P.S- Katihar Town, Distt-  
Katihar

... .. Opposite Party/s

**Appearance :**

|                           |   |                                    |
|---------------------------|---|------------------------------------|
| For the Petitioner/s      | : | Mr.Sanjeev Kumar Singh, Advocate.  |
| For the Opposite Party/s: |   | Mr.Dilip Kumar No. 1, APP.         |
| For O.P. No.2             | : | Mr. Anshuman Jaipuriyar, Advocate. |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      20-04-2026                      Heard learned counsel appearing on behalf of the  
  
petitioner, learned APP for the State and learned counsel for the  
  
O.P. No.2.

2. The petitioner seeks pre-arrest bail in connection  
with Katihar Nagar P.S. Case No. 295 of 2025 for the offences  
punishable under Sections 126 (2), 115 (2), 85, 352, 351(3) and  
3(5) of the BNS.

3. The allegation is of subjecting the O.P. No.2 to  
various sorts of torture and cruelty for non-fulfillment of  
demand of dowry.

4. Learned counsel appearing on behalf of the  
petitioner submitted that the petitioner is the husband of the O.P.



No.2 and the allegation levelled against him is false and concocted. Learned counsel submits that the petitioner is ready to keep his wife with full dignity and honour.

5. Learned counsel appearing on behalf of the O.P. No.2 and learned APP for the State jointly opposed the prayer for bail to the petitioner.

6. Considering the nature of allegation against the petitioner, the petitioner, above named, is directed to be released **on pre-arrest bail provisionally** on such terms and conditions as the learned District Court deems it fit and proper, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. This Court finds that the matrimonial dispute is not an offense against the society rather a matrimonial dispute is a private conflict between spouses and does not inherently constitute an offence against society, as has been held by the Apex Court in the case of *Rajendra Bhagat v. State of Jharkhand*, reported in (2022) 18 SCC 465. Learned District Court is directed to examine the matter for settlement of the dispute outside the court by way of mediation in light of the law laid down by the Apex Court in case of **Rajendra Bhagat (supra)** and take necessary steps to issue notices to the



respective parties and upon their appearance refer the matter before the learned Mediator of the District Mediation Centre by fixing a date for appearance of the parties to give effect to “Mediation for the Nation 2.0”.

8. The bail 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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