

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25192 of 2017

Arising Out of PS.Case No. -320 Year- 2016 Thana -RAMPUR District- GAYA

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1. Pawan Kumar S/o Ganga Prasad R/o Mohalla - Rampur, P.S. - Rampur,
District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Deepika Kumari D/o Gopal Prasad R/o Mohalla - Bazar Samiti, P.S.
- Bahadurpur, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 11-10-2017 Heard learned counsel for the petitioner and learned
counsel for opposite party no. 2 Deepika Kumari.

This is a case registered under Section 498-A/34 of the
Indian Penal Code and Sections 34 of the Dowry Prohibition Act.

On 30.05.2017, the matter was referred to the District
Mediation and Conciliation Centre, Gaya for mediation of the
dispute between the husband and the wife. Accordingly, the
petitioner was released on provisional bail. Thereafter the matter
was taken up by the Mediator of the District Legal Services
Authority, Gaya and a report has been submitted on 10.09.2017
stating therein that opposite party no. 2 (wife) wants to stay with
her husband but the husband (petitioner) and his parents do not



want her to stay with them. As an alternative the opposite party no. 2 demanded Rs. 45 lakhs as permanent alimony.

Today, when the matter is taken up, the counsel for the petitioner submits that petitioner is ready to take his wife and keep her with full dignity and honour.

Learned counsel for opposite party no. 2 also submits that opposite party no. 2 is also ready to stay with the petitioner and in-laws and would give full dignity and honour to the petitioner and her in-laws.

Considering the facts and circumstances and the materials on record, let the petitioner and opposite party no. 2 appear before the learned Chief Judicial Magistrate, Gaya on 17.10.2017 in connection with Rampur P.S. Case No. 320/16 and the learned court below will confirm the provisional bail of the petitioner in three eventualities : (i) if the matrimonial harmony is substantially restored or (ii) if the opposite party no. 2 fails to appear before the learned court below or (iii) if the opposite party no. 2 deliberately gets reluctant to reconcile the issue.

(Nilu Agrawal, J)

Rajesh/-

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