

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7571 of 2020

Arising Out of PS. Case No.-7 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

SANJAY PASWAN S/o Sri Kailash Paswan Resident of - Chandrahatti, P.S.-
Dumra, District- Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Rajni Kumari W/o Sri Sanjay Paswan Resident of - Chandrahatti, P.S.-
Dumra, District- Sitamarhi. Presently at- D/o Sri Narayan Paswan Ward No.
-21, Mela Road Bhavdeopur (Behind Dr. Anju Singh), P.S.- Sitamarhi,
District- Sitamarhi.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar, Advocate
For the Opposite Party/s	:	Mr.Pranav Kumar, APP
For the Informant	:	Mrs. Madhubala Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State as also the learned counsel appearing for the informant.

Petitioner seeks bail in Sitamarhi Mahila PS Case No. 7 of 2019 registered under Sections 498(A), 379, 307, 34 of the IPC and Sections 3 & 4 of the Dowry Prohibition Act.

Learned Counsel for the petitioner submits that he is willing to reconcile the issue with his wife.

Learned APP for the State submits that from the order of



the court below it is apparent that efforts for conciliation were made but the petitioner had expressed his disagreement to keep the informant (wife) with him as wife.

Counsel for the petitioner submits that the petitioner will make all genuine efforts to reconcile the issue so that the reconciliation culminates in restoration of matrimonial harmony or one time settlement as agreed upon between the petitioner and the informant.

Learned Counsel for the informant does not object to such proposal as long as amicable settlement is reached between the parties.

In view of the said submission since terms of reconciliation has to be worked out, this Court would direct that if the petitioner surrenders in the court below, I.e. the Court of SDJM Sadar Sitamarhi within a period of four weeks from today, in connection with Sitasmarhi Mahila PS Case No. 7 of 2019, and submits an undertaking to this effect at the time of his surrender, the court below, after issuing notice to Opposite party No. 2 (wife) will grant provisional bail to the petitioner. The parties would make attempt to work out for resolution of the dispute and the matter would be reviewed by the court below after four months. This court makes it clear that if the issue is resolved amicably, the provisional bail granted to the petitioner should be confirmed. If the developments are, however otherwise, the court below would be free to pass order in exercise of its judicial discretion, including cancellation of the provisional bail granted to the petitioner.

With the aforesaid observations the application stands disposed of.

(Madhuresh Prasad, J)

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