

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7613 of 2020

Arising Out of PS. Case No.-3022 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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DILIP KUMAR SAH Son of Bindeshwar Sah Resident of Village -
Barabharti, P.O.- Bishunpur, Pandey, P.S.- Minapur, District- Muzaffarpur

... .. Petitioner

Versus

1. THE STATE OF BIHAR Bihar
2. Arti Devi Wife of Dilip Kumar Sah, D/O - Amarnath Sah Resident of
Village, P.O., P.S. - Madhuban, District- East Champaran

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-07-2020 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.

Petitioner seeks bail in Complaint Case No. 3022 of 2018,
Trial No. 3048 of 2019 registered under Sections 498(A) 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. 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 State 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 East Muzaffarpur within a period of four weeks from today, in connection with Complaint Case No. 3022 of 2018, Trial No. 3048 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 three 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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