

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18624 of 2020

Arising Out of PS. Case No.-112 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Manoj Rai @ Manoj Kumar Rai Son of Chandradeo Rai @ Chanardeo Rai
Resident of Village- Mauza Mogalahi, P.S.- Fulwariya (Shripur O.P.),
District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mintu Devi Wife of Manoj Kumar Rai @ Manoj Rai Resident of Village- Moglhi, P.S.- Fulwariya (Shripur O.P.), District- Gopalganj. Daughter of Amarjeet Singh, R/o Village- Piprakhas, P.S.- Mirganj, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP
For the O.P. No. 2	:	Mr. Brajesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 08-12-2020 Heard Mr. Lokesh Kumar Singh, learned counsel for the petitioner, Mr. Brajesh Kumar Singh, for the informant and Mr. Suresh Prasad Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with C. Case (Reg.) No. 112 of 2017/Trial No. 2231 of 2019 in which cognizance has been taken under Section 498A of the Indian Penal Code.

Learned counsel appearing for opposite party no. 2 submits that the court below had directed the petitioner to get himself tested for HIV positive which



perhaps has not been done by the petitioner.

It appears from the argument advanced on behalf of opposite party no. 2 that the opposite party no. 2 is not willing to join the matrimonial fold.

However, the parties are agreeable for an amicable settlement by way of one time settlement of all dispute which would include matrimonial allowances.

The case, therefore, is remitted to the court below where the petitioner as well as the opposite party no. 2 shall be noticed by the court. The petitioner shall be allowed to remain on the provisional bail. It shall be explored by the court below whether the parties intend settling the dispute on their own. Should the court below deem it appropriate, the matter could be sent to the mediation centre of the District Court for one time settlement of dispute between the parties. The court below shall fix a date on which the mediator shall submit a report to him. On the basis of the aforesaid report, an order shall be passed by the court below in accordance with law. If for no apparent good reason, the talks fail, that should also be taken into account in confirming the provisional bail granted to the petitioner.

With the aforesaid direction/observation, the petition stands disposed of.

(Ashutosh Kumar, J)

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