

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20840 of 2020

Arising Out of PS. Case No.-460 Year-2019 Thana- TURKAULIYA District- East
Champaran

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Rakesh Kumar @ Rakesh Kumar Keshari Son of Chandrika Sah Resident of
Village - Belwa Rai Khas, P.S.- Turkauliya, District- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Rinku Kumari @ Rinku Devi Wife of Rakesh Kumar @ Rakesh Kumar
Keshari Resident of Village - Belwa Rai Khas, P.S.- Turkauliya, District-
East Champaran

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Pandey
For the State	:	Mr.Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 10-09-2020 Defect, as pointed out by the office, be ignored.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner is in jail custody since 12.11.2019 in
connection with Turkaulia P.S. Case No. 460 of 2019 registered
for the offences punishable under Sections 341, 323, 498-A/34
of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Petitioner happens to be husband of the
informant/opposite party no. 2 and admittedly, the marriage of
petitioner with informant was solemnized in the year 2014 and



the present case was lodged in the year 2019.

Learned counsel of the petitioner submits that petitioner wants to keep the informant with full honour and dignity but informant does not want to lead her marital life with the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, petitioner is directed to be released on bail provisionally for the period of six months from today on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Turkauliya P.S. Case No. 460 of 2019 with direction to concerned court/trial court to explore the possibilities of settlement of dispute of petitioner and informant even by way of one time settlement and for which the concerned court shall issue notice to informant and petitioner fixing a date for reconciliation. However, it is made clear that if concerned court feels that dispute of the parties is not possible to resolve due to non cooperative and rigid approach of the petitioner, in that event, the concerned court shall consider the confirmation of provisional bail of the petitioner on its own merit. It is needless to say that if the attempt of settlement fails due to rigid and non



cooperative approach of informant or if the concerned court succeeds in his attempt, the provisional bail granted to petitioner shall be confirmed by the learned court below itself.

In the aforesaid manner, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

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