

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23768 of 2020**

Arising Out of PS. Case No.-2400 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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AJAY KUMAR @ AJAY KUMAR MAHTO Son of Tuna Mahto Resident of
Village - Ghataho @ Sultanpur Ghataho, P.S.- Ghataho, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari Wife of Ajay Kumar @ Ajay Kumar Mahto Resident of
Village - Ghataho, P.S.- Ghataho, District - Samastipur and Daughter of
Rambilas Mahto, at present Resident of Village - Agrail, P.O.- Champapur,
P.S.- Balgaw, District - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mr. Pradeep Narayan Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-10-2020 As of now, the Courts have not resumed normal

physical hearing. The matter has been listed today for

consideration through Video Conferencing.

Learned counsel are appearing and making
submissions from their residence. The Court master and
Secretary are also part of this virtual Court proceedings with the
aid of audio visual technology.

Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to
honor his undertaking given in the instant case for depositing



the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioner apprehends his arrest in connection with complaint case no. 2400 of 2019, instituted for the offence under Section(s) 323, 498A, 504 and 379 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. Cognizance has been taken under Section 498A of the IPC.

Petitioner's counsel submits that he is ready for one time settlement, in the event he is allowed pre- arrest bail.

Learned counsel for the State does not controvert the aforesaid fact. It is further submitted that the petitioner be put to strict terms.

Considering the submissions of the parties, this Court would direct that the petitioner should surrender before the court below ACJM-16 -cum- sub judge-17, Vaishali at Hajipur, within a period of four (04) weeks from today in connection with Complaint Case No. 2400 of 2019. The Court below, upon such surrender, may release the petitioner on provisional bail for a period of three (03) months to its own satisfaction. The petitioner would have three (03) months to work out one time settlement with complainant as suggested by the petitioner's counsel for resolving the issue. In case such one time settlement or solution



is not agreed to by the parties, the Court below shall re-consider the matter and pass appropriate orders in exercise of its judicial discretion, which may also include cancellation of the provisional bail.

The anticipatory bail application stands disposed off in the aforesaid terms.

(Madhuresh Prasad, J)

shyambihari/-

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