

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23852 of 2020

Arising Out of PS. Case No.-220 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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AMAN KUMAR Son of Ajay Kumar Singh Resident of Village- Ward No. 26, Panhas, P.S.- Town (Lohiya Nagar O.P.), District- Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Lovely Kumari Wife of Aman Kumar Resident of Village- Panhas, Ward No. 26, P.S.- Town (Lohiya Nagar O.P.), District- Begusarai. Daughter of Ganesh Prasad Singh, presently resident of Rail Quarter No. L. 52/18-19, Railway Colony, Barauni, P.S.- Barauni, District- Begusarai, permanent of Village- Sonapur, Adam, P.S.- Sonapur, District- Chapra, Mob No. 8789812138

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar
For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-10-2020 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. 220-C of 2019, instituted for the offence under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The allegation is made by the wife of the petitioner.

Learned Counsel for the petitioner submits that he is willing to reconcile the issue with his wife and to live with her. Counsel for the petitioner further submits that the petitioner will make all genuine efforts to reconcile the issue so that there conciliation culminates in restoration of matrimonial harmony or one time settlement as may be agreed upon between the petitioner and the complainant. 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, above named, surrenders in the court below, i. e. the court of learned Sub-Divisional Judicial Magistrate, Begusarai within a period of four weeks from today, in



connection with Complaint Case No. 220-C 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) may grant provisional bail to the petitioner. The parties would make attempt to work out an amicable 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 orders 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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