

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23787 of 2020**

Arising Out of PS. Case No.-954 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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BODHU MANDAL @ BHODU MANDAL S/O Late Gudar mandal R/O---,
Distt. Katihar.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Pramila Devi W/O - Bhodu Mandal, D/O - Late Shibu Mandal R/O -
Pranpur, P.S. - Amdabad, Distt. - Katihar.

... .. Opposite Part

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Gautam, APP.

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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.

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.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks anticipatory bail in Complaint Case No. 954 of 2019 registered under Sections 498(A) & 323 of the IPC.

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 may be 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 Judicial Magistrate, 1st Class, Katihar within a period of four weeks from today, in connection with Complaint ?Case No. 954 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 an amiable 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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