

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.28646 of 2020**

Arising Out of PS. Case No.-304 Year-2019 Thana- PATNA COMPLAINT CASE District-  
Patna

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YOGENDRA CHAUDHARY Son of Late Kallu Chaudhari Resident of  
Village- Lakhisarai, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Sudha Devi @ Sundari Kumari Wife of Yogendra Chaudhary Resident of  
Village- Lakhisarai, P.S.- Ghoshi, District- Jehanabad. At presently residing  
at Pkoradih, P.O.- Khalilabad Netol, P.S.- Kadirganj, District- Patna.

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Binod Shankar Modi, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      04-12-2020                      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.

Petitioner seeks anticipatory bail in Complaint Case No.  
304 (C ) of 2019 registered under Sections 498(A) 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, Masaurhi (Patna) within a period of four weeks from today, in connection with Complaint Case No. 304 (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) 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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