

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47497 of 2019

Arising Out of PS. Case No.-9 Year-2017 Thana- MAHILA P.S District- West Champaran
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MITHUN RAM Son of Kishun Ram Resident of Village- Narkatiya, P.S.-
Gopalpur, District- West Champaran.

... .. Petitioner

Versus

1. THE SATE OF BIHAR
2. Subhanti Devi Wife of Mithun Ram, D/o Nandlal Ram Resident of
Village- Mahana Gani, P.S.- Muffasil, District- West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Vibhakar Kumar
For the Opposite Party/s	:	Mr.Anil Kumar Singh No. 1
For Informant	:	Mr. Sanjeev Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 12-06-2020 Heard Mr. Vijay Kumar, learned counsel for the

petitioner, Mr. Sanjeev Kumar Srivastava, learned counsel

for the informant and Mr. Anil Kumar Singh No. 1, learned

APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Bettiah Mahila P.S. Case No.

09/2017 dated 21.10.2017 instituted for the offences under

Sections 341, 323, 498(A), 494/34 of the Indian Penal

Code and Section 3 / 4 of the Dowry Prohibition Act.

The petitioner is the husband of opposite party no.



2. On an earlier occasion, the matter was referred to Patna High Court Mediation and Conciliation Centre but no result came out of the deliberations.

Learned counsel for the informant has informed this court that one occasion when the matter could have been decided by the Mediator, the petitioner did not appear before the Mediation Centre. Learned counsel for the informant has also told this court that opposite party no. 2 is not willing to go to her matrimonial home as according to her information, the petitioner has married somebody else.

This fact, however has been denied by the counsel for the petitioner.

In any view of the matter, there does not appear to be consensus between the parties. As such, I am not inclined to grant anticipatory bail to the petitioner.

The anticipatory bail petition is rejected.

However, considering the stand of the petitioner that he is ready and willing to settle the matrimonial dispute with opposite party no. 2, this Court directs that in case the petitioner surrenders before the court below within a period



of six weeks with a specific stand and commitment that he shall settle the matrimonial dispute by way of one time settlement, the court below shall grant provisional bail to him and shall notice to the informant / opposite party no. 2 also.

If the petitioner satisfies the court below that he shall abide by his obligations and would settle the matrimonial dispute by way of one time settlement, only then, permanent bail shall be granted to the petitioner.

The petition stands disposed of with afore-noted observation.

(Ashutosh Kumar, J)

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