

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61613 of 2019**

Arising Out of PS. Case No.-392 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

SUJIT KUMAR @ SUMIT KUMAR Son of Lakhan Lal @ Pal Resident of
Village - Manoharpur, P.S.- Nath nagar, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munni Kumari D/o Sri Lakhanlal Chaurasia, Resident of Village - and P.O. -
Bharamarpur, P.S.- Bihpur, Dist.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Jha
For the Opposite Party/s	:	Mr.Syed Ehteshamuddin
For the Complainant	:	Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 02-07-2020 The matter has been listed today for consideration
through Video Conferencing.

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, complainant and
the learned APP for State.

Petitioner apprehends arrest in connection with
complaint case no. 392 of 2018 instituted for the offence under



Section(s) 498A, 323,504 and 379 of the Indian Penal Code.

From the order sheet it appears that on 27.2.2020 parties have jointly submitted that they are not agreeable to live together but, there is a chance of one time settlement by payment of agreed amount between the parties.

The counsel for the opposite party no.2 submits that at least opposite party no.2 would be entitled to the amounts which have been disclosed in the complaint petition. Apart from other claim that she may be permitted to raise. The issue, therefore, is whether the parties would arrive at one time settlement or not.

In view of the aforesaid submissions, this Court would direct the petitioner to surrender before the Court below i.e. J.M. 1st Class, Naugachia within a period of six weeks from today in connection with Complaint Case No. 392 of 2018. Upon his surrender, the Court below shall release the petitioner on provisional bail to its own satisfaction for a period of three months. The parties would be at liberty to work out one time settlement as suggested by the petitioner's counsel for resolving the issue. If a settlement is arrived at between the parties, provisional bail be confirmed. 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 application stands disposed off in the aforesaid terms..

(Madhuresh Prasad, J)

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