

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71098 of 2019

Arising Out of PS. Case No.-18 Year-2018 Thana- MAHILA District- Munger

AMARJEET YADAV S/o Sikendra Yadav Resident of Village- Amaiya, P.S.-
Asarganj, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Devi D/o Parmanand Yadav, W/o Amarjeet Yadav Resident of Village-
Tulsipur (Ghorghat), P.S.- Bariyarpur, District- Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 10-07-2020 Heard learned counsel appearing for petitioner as well

as learned Additional Public Prosecutor appearing for State

through video conferencing.

Petitioner apprehends his arrest in connection with
Mahila P.S. Case No.18/2018 registered for the offences
punishable under Sections 498A of the IPC and Section 3/4 of
Dowry Prohibition Act.

Petitioner happens to be husband of O.P. No.2 and the
present case has been lodged on account of matrimonial dispute.
Opposite party no.2 claims that petitioner used to torture her and
has solemnized his second marriage. However, both parties
submit that they are ready to resolve their dispute.



In view of the aforesaid facts and circumstances as well as submissions of the parties, this petition stands disposed of with direction to petitioner to surrender before the court below within eight weeks from the date of receipt/production of copy of this order to the concerned court and if petitioner does so the concerned court shall release the petitioner on provisional bail for the period of three months on furnishing bail bonds of rupees ten thousand with two sureties of the like amount each to its own satisfaction and furthermore, the learned court below on the day of release of his provisional bail shall issue a notice to opposite party no.2, fixing a date for reconciliation and shall take all efforts to resolve the dispute of the parties within the above stated of three months. However, it is made clear that if the learned court below fails in his attempt due to non-cooperative and rigid approach of the petitioner or due to solemnization of second marriage of the petitioner, the learned court below shall not confirm the order on provisional bail but if learned court below fails in his attempt due to non-cooperative and rigid approach of opposite party no.2 and if the court finds that the petitioner has not solemnized his second marriage, the court shall pass an order of confirmation of provisional bail of the petitioner. It goes without showing that if the concerned



court succeeds in his attempt, the court below shall not only pass order of confirmation of provisional bail of the petitioner but also take all effective steps for disposal of the Mahila P.S. Case No.18/2018 after recording the statements of the parties.

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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