

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71180 of 2019

Arising Out of PS. Case No.-121 Year-2019 Thana- MAHILA P.S. District- Nalanda

Ritesh Kumar Sharma, Son of Paras Nath Sharma Resident of Village - Sarwa, P.S.- Barbigha, Distt.- Sheikhpura.

... .. Petitioner

Versus

1. The State of Bihar
2. Kumari Sangam, D/o Ashutosh Sharma Resident of Village - Sankardih, P.S.- Parwalpur, Distt.- Nalanda.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar- Advocate
For the State	:	Mr. Nirmal Kumar Sinha- A.P.P.
For Opposite Party No.2	:	Mr. Jayram Sharma- Advocate

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

4 10-07-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State assisted by learned counsel appearing for the opposite party no.2 through video conferencing.

Petitioner apprehends his arrest in connection with Mahila P. S. Case No.121 of 2019 registered for the offences punishable under Sections 498(A), 323, 504, 506, 341/ 34 of the I.P.C., Section 3/4 of the D. P. Act and Section 67 of the I.T. Act.

At the very outset, it is submitted on behalf of the parties that both the parties have already settled their dispute by way of one time settlement outside the Court and, therefore, an adjournment be given, so that parties could file joint petition



before the Court.

In view of the aforesaid submissions, this anticipatory bail petition stands disposed of with direction to the petitioner to surrender before the Court below within eight weeks from the date of receipt/ production of a 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 Rs. Ten thousand with two sureties of the like amount each to its own satisfaction and furthermore, the learned Court below on the day of his release on 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 period 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 and 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 saying 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 Mahila P. S. Case No. 121 of 2019 after recording the statements of the parties.

(Hemant Kumar Srivastava, J)

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