

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9451 of 2020

Arising Out of PS. Case No.-840 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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KAMLESH KUMAR Son of Panchan Mahto Resident of Village - Mansi
Chhapra, P.S.- Chakia, Distt - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rima Kumari @ Rima Devi Wife of Kamlesh Kumar, D/o Birendra Mahto
Resident of Piprakothidih, P.S.- Pipra, Distt - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 06-12-2021 Heard Mr. Dhurendra Kumar, learned Advocate

for the petitioner and Mr. Sunil Kumar Pandey, learned

APP for the State.

The petitioner, who is the husband of opposite party no. 2, seeks bail in anticipation of his arrest in connection with Complaint Case No. 840 of 2018 in which cognizance has been taken under Sections 498(A), 420, 406, 417 and 379 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The matter was initially referred to the



Mediation Centre, Patna High Court which has not yet commenced the mediation proceeding due to Pandemic closure.

The records of this case is hereby recalled from the Patna High Court Mediation Centre.

The petitioner maintains that he is, even today, ready for negotiation across the table for the purposes of resolution of the matrimonial dispute.

Considering the aforesaid stand of the petitioner, this Court deems it appropriate to direct that in the event of the petitioner surrendering before the court below within a period of three weeks, he shall be released on provisional bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties. Simultaneously, the opposite party no. 2 also shall be noticed. On the appearance of the opposite party no. 2, the court below shall provide ample opportunities to the spouses/parties to negotiate and settle the differences in an amicable manner. The parties



would also be at liberty to go for a one time settlement if restitution of conjugal rights does not appear to be possible. If the dispute is settled, the provisional bail granted to the petitioner shall be confirmed. If at all the court finds that the conduct/stand of the parties is obstructive and unreasonable that shall be taken into account for passing a final order of confirmation of provisional bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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