

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8802 of 2019

Arising Out of PS. Case No.-1281 Year-2018 Thana- BIHTA District- Patna

AMIT KUMAR, Son of Tunu Yadav Resident of Village- Giriya Tamoli Ki Gali, Machharhatta, P.S. Khajekalan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kumari Priti @ Priti Kumari, Wife of Amit Kumar D/o Late Satyendra Prasad Resident of Village- Danapur, P.S.- Danapur, District- Patna. Permanent resident- Bela, Lakshmanpur, Bikra, P.S.- Bihta, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jay Ram Prasad
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 31-08-2021 Heard Mr. Jay Ram Prasad, learned advocate for the petitioner; Mr. Ghanshyam Tiwari, learned counsel for Opposite Party No. 2; and Mr. Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bihta P. S. Case No. 1281 of 2018, dated 14.11.2018, instituted for the offences under Sections 323, 504, 506 and 498(A) of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.



The petitioner is the husband of Opposite Party No. 2.

Notice was issued to Opposite Party No. 2 *vide* order dated 14.02.2019.

Pursuant to the aforesaid notice, the Opposite Party No. 2 appeared through Mr. Ghanshyam Tiwari, learned advocate.

On 21.01.2020, on the joint request of the parties, the matter was sent for Patna High Court Mediation Centre for amicable settlement of marital discord between the spouses. Because of the Corona Pandemic, the mediation process could not be commenced.

The parties are ready for settlement provided the terms are acceptable to both sides.

Under such circumstances this Court deems it appropriate to direct that in the event of the petitioner surrendering before the court below within a period of six weeks he shall be released on provisional bail. The



Opposite Party No. 2 shall also be noticed simultaneously and on her appearance, the Court shall provide a platform for negotiations for amicable settlement of the dispute between the spouses.

Should the Court be of the view that anyone of the parties is taking an unreasonable stand, necessary order shall be passed.

If for some reason, it is found that the stand of the petitioner is reasonable and the settlement would not be arrived at because of intransigence on the part of Opposite Party No. 2, that shall also be taken into account for passing a final order regarding confirmation of the provisional bail of the petitioner.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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