

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22828 of 2020

Arising Out of PS. Case No.-1868 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

=====

Keshav Kumar Soni @ Keshav Kumar Thakur @ Keshav Kumar @ Keshav Thakur, Male, aged about 27 years, Son of Ram Sanayhe Thakur, Present address Village Majhaul Chowk Barbaria Tola, Police Station-Sitamarhi, District-Sitamarhi, at present address Village-Majorganj, Police Station-Majorganj, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saheli Kumari @ Muskan Kumari, aged about 20 years, Wife of Keshav Kumar Soni @ Keshav Kumar Thakur @ Keshav Kumar @ Keshav Thakur present address-Mashaul Chowk Basbaria Tola, Police Station-Sitamarhi District-Sitamarhi, Present Address-Daughter of Ram Murti Prasad, Ward No.9, Majorganj, Police Station-Majorganj, District-Sitamarhi.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar with Mr. Ritesh Kumar Narayan Singh, Advocates
For the Opposite Party No. 2	:	Mr. Mukul Prasad, Advocate
For the State	:	APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

9 25-10-2021 Heard Mr. Sanjeev Kumar, learned counsel appearing for the petitioner, Mr. Mukul Prasad, learned counsel appearing for the opposite party no. 2 and learned counsel appearing for the State.

The present application has been filed for grant of anticipatory bail to the petitioner in connection with Complaint Case No. C1 1868 of 2018 registered for offence under Sections 498A/34 of the Indian Penal Code pending in the Court of



learned Sub-Divisional Judicial Magistrate Sadar, Sitamarhi.

The petitioner seeks bail in anticipation of his arrest in the above case in which cognizance has been taken against him for the offence under section 498A/34 on 29.05.2019. Earlier, this Court vide order dated 29.09.2020 has granted interim relief to the petitioner thereafter by order dated 13.11.2020, referred the matter to the Mediation Centre for re-conciliation of their marital relationship. However, due to the COVID-19 no purposeful result is arrived between the parties fixed for mediation. It is under above circumstances the matter has been heard before this Court.

Learned counsel for the petitioner and learned counsel for the opposite party no. 2 jointly prays that they are not averse to the talks of settlement.

Considering the aforesaid stand of the parties, this Court directs that if the petitioner surrenders before the Court below within a period of eight weeks from today, he shall be released on provisional bail. Simultaneously, his wife/ complainant / opposite party no.2 shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses. In case, the settlement is arrived at, the Court below shall fix the modality of the return of



the complainant/opposite party no. 2 to her matrimonial home.

The provisional bail of the petitioner shall be confirmed only on settlement of dispute between the parties or in the event of complainant /opposite party no. 2 deliberately choose not to settle the dispute without appropriate cause.

If the conduct of the petitioner is found to be genuine his provisional bail shall be confirmed by the Court below on such conditions as contained in Section 438(2) Cr.PC, 1973.

With the aforesaid observation/direction, the application stands disposed off.

(Purnendu Singh, J.)

Anand Kr.

U		T	
---	--	---	--

