

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27407 of 2020

Arising Out of PS. Case No.-170 Year-2019 Thana- MAHILA P.S. District- Bhojpur

Rishu Kumar Soni @ Rishu Kumar, Son of Heera Seth, R/o Padriyan, P.S.-
Baghela, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection with Mahila P.S. Case No.170 of 2019 registered for the offence punishable under Section 498A/34 of the Indian Penal Code, and Section 3/4 of the Dowry Prohibition Act.

The allegation is made by the wife of the petitioner.

Learned Counsel for the petitioner submits that the petitioner is willing to reconcile the issue with his wife and to live with her. Counsel for the petitioner further submits that the petitioner will make all genuine efforts to reconcile the issue so that the reconciliation culminates in restoration of matrimonial harmony or one time settlement as may be agreed upon between the petitioner and the informant.



Learned Counsel for the State does not object to such proposal as long as amicable settlement is reached between the parties.

In view of the said submission since terms of reconciliation has to be worked out, this Court would direct that if the petitioner, above named, surrenders in the court below, i.e. the court of learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara within a period of four weeks from today, in connection with Mahila P.S. Case No.170 of 2019, and submits an undertaking to this effect at the time of his surrender, the court below, after issuing notice to the informant-wife may grant provisional bail to the petitioner. The parties would make attempt to work out an amicable resolution of the dispute and the matter would be reviewed by the court below after three months. This court makes it clear that if the issue is resolved amicably, the provisional bail granted to the petitioner may be confirmed. If the developments are, however, otherwise, the court below would be free to pass orders in exercise of its judicial discretion, including cancellation of the provisional bail granted to the petitioner.

With the aforesaid observations the application stands disposed of.



This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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