

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27388 of 2020

Arising Out of PS. Case No.-54 Year-2019 Thana- KALUAHI District- Madhubani

AKHILESH MANDAL Son of Raj Kumar Mandal Resident of Village -
Haripur Gauridas Tole, P.S.- Kaluahi, District - Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sushila Devi Wife of Akhilesh Mandal Daughter of Pitambar Mandal,
Resident of Village - Maheshwara, P.O.- Maheshwara, P.S.- Babu Barhi,
District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Subhash Kumar Jha, Advocate.
For the State	:	Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon.

Petitioner apprehends his arrest in connection with
Kaluahi PS Case No 54 of 2019, corresponding to CRI Case No
625 of 2019 instituted for the offence under Sections
341,323,379,494, 498A and 504/34 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 he 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 there conciliation 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 proposals as long as amicable settlement is reached between the parties.

In view of the said submissions, 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 Judicial Magistrate 1st Class, Madhubani, within a period of four (04) weeks from today, in connection with Kaluahi PS Case No 54 of 2019, corresponding to CRI Case No 625 of 2019, and submits an undertaking to this effect at the time of his surrender, the Court below, after issuing notice to opposite party no.2 (wife), may grant provisional bail to the petitioner for a period of three (03) months to its own satisfaction. 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. The 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 off.

(Madhuresh Prasad, J)

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