

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36091 of 2020

Arising Out of PS. Case No.-51 Year-2019 Thana- MAHILA P.S BAGHA District- West
Champaran

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SONU RAO @ DHANANJAY RAO son of Chandrashekhar Rao Resident of
Village- Harnatand, P.S.- Laukariya, District- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. ABHA DEVI @ ABHA RAO wife of Sonu Rao @ Dhananjay Rao D/o
Ramashankar Rao, Resident of Village- Harnatand, P.S.- Laukariya, District-
West Champaran. at present R/o village- Nadda, P.S.- Bhairoganj, District-
West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Bagaha (Mahila) P.S. Case No. 51

of 2019 instituted for the offences under Sections 498A/34

of the Indian Penal Code and Section 3 and 4 of the Dowry

Prohibition Act.

The petitioner is the husband of the opposite party

no. 2.

Notwithstanding the accusation in the First



Information Report, learned counsel for the petitioner has submitted that he is ready for a one time settlement with opposite party no. 2. Because of her conduct, it has been stated, it has become difficult to continue the matrimonial relationship with her. He has also shown to this Court an agreement between the parties / spouses that they are agreeable for an amicable settlement by parting of ways.

Considering this aspect of the matter, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions.

On the surrender of the petitioner before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, he shall be granted provisional bail by the court below on his furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bagaha, West Champaran, in connection with Bagaha (Mahila) P.S. Case No. 51 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



While granting provisional bail to the petitioner, the opposite party no. 2 shall be noticed and on her appearance, the court below shall proceed for mediation between the parties. If the stand of the petitioner would appear to be reasonable and conversely the opposite party no. 2 would not show a reasonable approach in settlement of dispute, the provisional anticipatory bail of the petitioner shall be confirmed.

In case it is found that the petitioner is to be blamed for the dispute not being settled, the court below shall take a decision independently whether to confirm the provisional anticipatory bail of the petitioner or not.

This petition stands disposed of with the aforesaid observation.

(Ashutosh Kumar, J)

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