

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35622 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- CHAPRA TOWN District- Saran

SUMIT KUMAR, Son of Dipak Singh Resident of Village-Senduar, P.S.-
Janta Bazar, District-Saran (Chapra).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rekha Singh, W/o Sumit Singh D/o Late Shiv Kumar Singh Resident of
Mohalla-Dahiawan Tola Nagarpalika Chauk, North to Sai Mandir, House of
Nagwendra Rai, P.S-Chapra Town, District-Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udit Narayan Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

9 09-08-2021 Heard Mr. Udit Narayan Singh, learned

advocate for the petitioner and Mr. Rana Randhir Singh,

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Saran Town P. S. Case No.
116 of 2019, dated 09.03.2019, instituted for the
offences under Sections 323, 341, 363 (A) and 498 (A)
of the Indian Penal Code and Sections 3 and 4 of the
Dowry Prohibition Act, 1961.

He is the husband of Opposite Party No. 2.



A Bench of this Court had issued notice to Opposite Party No. 2.

However, this case was dismissed for non-prosecution twice. After the restoration of the case, it has come again for consideration.

There is no appearance on behalf of Opposite Party No. 2 as well.

Considering the fact that the petitioner is ready to settle his matrimonial dispute with his wife, this Court deems it appropriate to direct that if he surrenders before the court below within a period of eight weeks from today, he shall be released on provisional bail. While granting provisional bail to the petitioner, his wife / Opposite Party No. 2, viz., Rekha Singh shall be noticed and on her appearance, the court below shall explore the possibilities of settlement between the spouses by facilitating bilateral negotiations. The Court would be expected to act as a mediator and in case it is found that there is every likelihood of the dispute being



settled or in the event of the dispute being settled, the provisional anticipatory bail of the petitioner shall be confirmed.

If for some reason, which would not be attributable to the stand of the petitioner, the talks of settlement fails and it is found that it is because of the intransigence of Opposite Party No. 2, that fact also shall be taken into account while passing an order confirming the provisional anticipatory bail of the petitioner.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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