

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36862 of 2020

Arising Out of PS. Case No.-2220 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Upendra Patel, male, aged about 29 years, Son of Dinesh Patel, Resident of
Village- East Lagunaha, P.S.- Bathwariya, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bittu Devi, female, aged about 27 years, W/o Upendra Patel, Resident of
Village- East Lagunaha, P.S.- Bathwariya, Distt.- West Champaran, presently
residing as daughter of Mohan Patel, resident of village- Siswa Bhumihar,
P.S.- Navalpur, Distt- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 07-04-2021 Heard Mr. Sanjay Kumar No. 7, learned Advocate
for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 2220C of 2017
(CIS No. 2122 of 2017) instituted for the offences under
Sections 498(A) of the Indian Penal Code and Section 4 of



the Dowry Prohibition Act.

At the outset, the learned counsel for the petitioner has submitted that he is not averse to the talks of settlement with his wife/opposite party No. 2, provided she is agreeable for the same. He also wants a rapprochement and perhaps restitution of conjugal rights.

Considering the aforesaid stand of the petitioner, this Court directs 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) 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 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 the opposite party No. 2 deliberately choosing not to settle the dispute without any appropriate



cause.

If the conduct of the petitioner is found to be genuine, his provisional bail shall be confirmed by the Court below.

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

(Ashutosh Kumar, J)

Praveen-II/-

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