

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38987 of 2020

Arising Out of PS. Case No.-967 Year-2019 Thana- SONEPUR District- Saran

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Rohit Kumar, Son of Pramod Jha, Resident of Village- Narikala, P.O.-
Narikhurd, P.S.- Tisaut, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Priti Kumari, Daughter of Mukesh Kumar, Resident of Village- Hariharnath
Sonepur, P.O.- Manpur Hariharnath, P.S.- Sonepur, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Adv.
For the Informant/O.P. No. 2	:	Mr. Kumar Samarjeet Singh, Adv.
For the State	:	Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-06-2021 Heard Mr. Santosh Kumar, the learned Advocate

for the petitioner and Mr. Kumar Samarjeet Singh, the

learned counsel for the informant. The State is represented

by the learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Sonepur P.S. Case No. 967 of

2019, instituted for the offences under Sections 498(A) and

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

Prohibition Act.

The petitioner is the husband of the opposite



party No. 2.

It has been submitted on behalf of the petitioner that earlier a divorce petition was filed on mutual agreement of the spouses to get separated. In the aforementioned case, the opposite party No. 2 appeared before the Court below but later, she withdrew her consent and did not prosecute the case any further.

Despite this, it has been submitted on behalf of the petitioner that he is ready for settlement of matrimonial dispute with his wife/opposite party No. 2, provided she is agreeable for the same. It has further been submitted that the petitioner is even ready for an alternative amicable settlement.

Considering the aforesaid stand of the petitioner, this Court directs that if the petitioner, above-named, 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 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.

However, if it is found that the dispute has not been settled because of the unreasonable approach of the opposite party No. 2, that shall also be taken into account by the Court below before passing the final order, confirming the provisional anticipatory bail of the petitioner. In case, the petitioner takes an unreasonable stand and the Court below would not deem it appropriate to release him on anticipatory bail, necessary order, after indicating the reasons, shall be passed.

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

(Ashutosh Kumar, J)

Praveen-II/-

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