

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41110 of 2020

Arising Out of PS. Case No.-432 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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CHHOTELAL KUMAR @ GOVIND KUMAR, Son of Ram Narayan Sah @
Ramayan Sah Resident of Village- Balochak, P.S.- Chakiya, Distt- East
Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Saraswati Devi W/o Chhotelal Kumar @ Govind Kumar Resident of
Village- Balochak, P.S.- Chakiya, Distt- East Champaran. Presently
Daughter of Ram Bhuras Sah, R/o Village- Pakridayal, P.S.- Pakridayal,
Distt- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-07-2021 Heard Mr. Ajay Kumar Singh, learned counsel

for the petitioner and Mr. Sunil Kumar Pandey, learned

APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Complainant Case No. 432 of

2019, in which cognizance has been taken under Section

498 – A of the Indian Penal Code and Sections 3 and 4

of the Dowry Prohibition Act, 1961.

The petitioner is the husband of complainant /



Opposite Party No. 2 and is ready for settlement of matrimonial dispute, provided she is agreeable for the same.

Notwithstanding the differences with his spouse, the petitioner is even today ready for negotiations with his wife / Opposite Party No. 2 for settlement of matrimonial dispute and return of his wife to her matrimonial home and if the aforesaid proposal of the petitioner is not acceptable to her, he shall also not be averse to entering into negotiations for a one time settlement.

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, viz., Saraswati Devi 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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