

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41052 of 2020

Arising Out of PS. Case No.-236 Year-2020 Thana- CHANPATIA District- West Champaran

PARWEJ ALAM son of Md. Tabrej Alam Resident of Village- Sirisiya, P.S.-
Chanpatia (Sirisiya), District- West Champaran.

... .. Petitioner.

Versus

1. The State of Bihar.
2. GULSHAN KHATOON w/o Pravej Alam, D/o Jazul Ansari Resident of
Village- Dudha Chaturi, P.S.- Majhauria, District- West Champaran.

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. Umesh Chandra Verma, Advocate.
For the State	:	Mr. Satyendra Prasad, A.P.P.
For the O.P. No.2	:	Mr. Sanjeev Kumar, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-08-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 30.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the opposite party no.2, through Video Conferencing.

The petitioner apprehends his arrest in connection with Chanpatia (Sirisiya) P.S. Case No.236 of 2020 registered under Sections 498-A, 341, 323 and 504 of the Indian Penal Code besides Sections 3/4 of the Dowry Prohibition Act.



The accusation is of torturing the opposite party no.2 by her husband (petitioner) and other in-laws for non-fulfillment of the dowry demand and removing her from the matrimonial house.

Learned counsel for the petitioner submits that the petitioner is the husband of the opposite party no.2 and he is still ready to keep his wife (opposite party no.2) with full honour and dignity.

On the other hand, learned counsel for the opposite party no.2 submits that the opposite party no.2 is also ready to lead her conjugal life with the petitioner, if the petitioner is ready to keep her with full honour and dignity.

In view of the aforesaid submissions of the learned counsel for the petitioner and the learned counsel for the opposite party no.2, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on provisional pre-arrest bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Chanpatia (Sirisiya) P.S. Case No.236 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C., with a



direction to the Sub-Divisional Judicial Magistrate, Bettiah, West Champaran, to refer the matter for settlement of the dispute in between the petitioner and the opposite party no.2, who are husband and wife respectively, before the District Mediation Centre, Bettiah, West Champaran, immediately after receipt/production of a copy of this order.

It is made clear that if the dispute in between the petitioner and the opposite party no.2 is settled before the District Mediation Centre, Bettiah, West Champaran, then the court below shall confirm the provisional pre-arrest bail of the petitioner and if the dispute is not settled in between them at the end of the petitioner, the court below shall be at liberty to cancel the provisional pre-arrest bail of the petitioner. If the dispute is not settled in between them at the end of the opposite party no.2, then also, the court below shall confirm the provisional pre-arrest bail of the petitioner.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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