

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45919 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- PANAPUR District- Saran

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Sunil Sah @ Sunil Kumar Sah, aged about 28 years, male, Son of Kameshwar Sah, Resident of Village - Kondh Bhagwanpur, P.S. - Panapur, Distt. - Saran, Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Neha Devi, D/o Anandi Sah, Resident of Village - Mathiya, P.O. - Laheji Mathiya, P.S. - Hasanpur, Distt. - Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajeet Singh, Adv.
For the O.P. No. 2	:	Mr. Mritunjay Kumar, Adv.
For the State	:	Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

10 25-10-2021 Heard Mr. Ajeet Singh, the learned Advocate for the petitioner and Mr. Mritunjay Kumar, the learned counsel for the opposite party No. 2. The State is represented by Mr. Ram Priya Sharan Singh, the learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Panapur P.S. Case No. 14 of 2019



(G.R. Case No. 417 of 2019), dated 18.01.2019, instituted for the offences under Sections 494, 498(A), 307 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The petitioner is the husband of the opposite party No. 2 and his stand before this Court is that he is ready to resume the matrimonial relationship with his wife/opposite party No. 2 and if she is not agreeable for the same, to negotiate for a one time settlement for an amicable resolution of the matrimonial dispute.

Based on the aforesaid stand of the petitioner, the records of this case were directed to be transmitted to the Mediation and Conciliation Centre of the Patna High Court and the petitioner was given interim relief. However, for the reasons of *pandemic* closure, the mediation process could not begin.

Today, Mr. Singh, the learned Advocate for the petitioner has informed this Court that there has been an out of Court settlement between him and his spouse. However, the aforesaid statement is not affirmed by the counsel



appearing for the opposite party No. 2.

In view of the aforesaid development, this Court now deems it appropriate to dispose off this application with a direction that in case the petitioner surrenders before the Court below in connection with Panapur P.S. Case No. 14 of 2019 (G.R. Case No. 417 of 2019) within a period of eight weeks from today, he shall be released on *provisional bail* on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The Court shall simultaneously issue notice to his wife/opposite party No. 2 and on her appearance, the Court shall verify whether there has been an out of Court settlement between the spouses. If the information provided by the petitioner about the settlement of matrimonial dispute is found to be correct, his *provisional bail* shall be confirmed. If for any reason, there remains any hitch in the final settlement of matrimonial dispute, the Court below shall provide reasonable opportunity to the parties to negotiate for



an amicable settlement of disputes. In the event of any one of the parties taking an unreasonable stand, that fact shall be taken into account before passing a final order regarding confirmation of the provisional bail.

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

(Ashutosh Kumar, J)

Praveen-II/-

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