

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 61399 of 2019**

Arising Out of PS. Case No.-255 Year-2019 Thana- ATRI District- Gaya

RAJ SAKSENA Son of Sanjay Kumar Resident of Village - Silao, P.S.- Silao,
Distt.- Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priti Kumari @ Priya Kumari D/o Dhananjay Kumar Resident of Village -
Basar, P.S.- Atri, Distt.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bipin Kumar, Advocate

For the Opposite Party/s : Mr Md Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

12 15-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in connection with Atri
Police Station (for brevity, *PS*) Case No 255 of 2019, instituted
for the offence punishable under Sections 498A/34 of Indian
Penal Code (for brevity, *IPC*).

Petitioner's counsel submits that being husband,
petitioner is willing to keep the informant along with him and
ensure restoration of matrimonial harmony. It is submitted that
the case under Sections 498A/34 of IPC has been lodged merely
on the basis of some domestic misunderstanding.

The petitioner, in the circumstances, may surrender



before the Court below within four weeks from today.

If the petitioner surrenders in the Court of Additional Chief Judicial Magistrate XIII, Gaya in connection with Atri PS Case No 255 of 2019, he may be allowed the benefit of provisional bail for a period of three months so that an amicable resolution of the dispute is arrived at, where after the Court below may confirm the provisional bail.

In the event, issue is not resolved between the petitioner and the informant within three months' period, it is needless to say that the Court below would be at liberty to exercise its judicial discretion to pass orders in the matter, which include cancellation of bail.

This application stands disposed of in the above noted terms.

(Madhuresh Prasad, J)

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