

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63634 of 2019

Arising Out of PS. Case No.-3421 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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SUDHAKAR KUMAR @ SUDHAKAR CHAURASIA S/o Late Birendra
Nath Chaurasiya R/o village- Chausiya, P.S.- Sonapur, District- Saran at
Chapra

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sudha Kumari D/o Shashi Bhushan Prasad, W/o Sudhakar Kumar R/o
village- Chausiya, P.S.- Sonapur, District- Saran at Chapra. Presently
residing at Village- Bhairapur, P.S.- Doriganj, District- Saran at Chapra

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate Mr. Akhileshwar Pandey, Advocate
For the Opposite Party/s	:	Ms. Sucheta Yadav, APP
For the O.P. No. 2	:	Mr. Mritunjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

8 16-08-2021 Heard Mr. Mritunjay Kumar, learned Advocate
for the petitioner and Mr. Mritunjay Kumar for the
informant. The State is represented by Ms. Sucheta
Yadav, learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 3421 of
2018/Tr. No. 3103 of 2019 in which cognizance has
been taken under Sections 498(A), 323, 307 and 379 of
the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

It appears from the different orders passed by
this Court that the petitioner was given provisional bail



and the matter was referred to the Mediation Centre of Patna High Court for an amicable settlement between the spouses.

It appears that the petitioner did not appear before the mediation centre and this Court by order dated 12.10.2020 cancelled the provisional bail granted to the petitioner.

The petitioner has filed a supplementary affidavit stating the reasons for his non-appearance before the mediation centre as also before this Court on different dates.

This Court is not satisfied with the reasons stated in the supplementary affidavit.

The application is thus dismissed with a direction to the petitioner to surrender before the court below within a period of eight weeks and seeks bail. Should the petitioner surrender before the court below, the court below shall take into account all the grounds raised in this petition including that the petitioner is ever ready to settle the dispute with his wife, provided she is agreeable for the same. In case the court below finds that the plea taken by the petitioner is genuine, he shall grant provisional bail to the petitioner and simultaneously notice shall be issued to the opposite party no. 2. On the appearance of the informant, the



court will explore the possibilities of settlement and if the issues between the spouses are settled, the provisional bail of the petitioner shall be confirmed. The provisional bail of the petitioner shall also be confirmed in the event of the informant showing an unreasonable attitude during the deliberations. If the conduct of the petitioner is not good, that should also be taken into account before confirming the provisional bail of the petitioner.

The petition stands disposed of.

(Ashutosh Kumar, J)

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