

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71378 of 2019**

Arising Out of PS. Case No.-229 Year-2018 Thana- MADHEPURA COMPALINT CASE  
District- Madhepura

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Dashrath Kumar @ Dashrath Mandal, male, aged about 43 years, Son of Ghanshyam Mandal, Resident of Village - Belodeeh, Ward No. 03, P.S. - Murliganj, District – Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi, female, aged about 34 years, Wife of Dashrath Kumar @ Dashrath Mandal, D/O - Late Maksudan Ray, Resident of Village - Belodeeh, Ward No. 03, P.S. - Murliganj, District - Madhepura, at present resident of Madhepura, Ward No. 10, P.S. and District – Madhepura.

... .. Opposite Party/s

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**Appearance :**

|                      |   |                             |
|----------------------|---|-----------------------------|
| For the Petitioner/s | : | Mr. Amarnath Jha, Adv.      |
| For the O.P. No.     | : | Mr. Anant Kumar No. 1, Adv. |
| For the State        | : | Mr. APP                     |

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

4      02-11-2021                      Heard Mr. Amarnath Jha, the learned Advocate for the petitioner and Mr. Anant Kumar No. 1, the learned counsel for the complainant/opposite party No. 2. The State is represented by the learned APP.

The petitioner seeks bail in anticipation of his



arrest in connection with Complaint Case No. 229 of 2018 in which cognizance has been taken against him for the offence under Section 498(A) of the Indian Penal Code.

A Bench of this Court had referred the matter to the Mediation and Conciliation Centre of the Patna High Court for reconciliation between the parties.

It has jointly been submitted on behalf of the parties that there is every possibility of settlement of matrimonial dispute.

Considering the aforesaid stand of the parties, this Court directs that if the petitioner surrenders before the Court below within a period of eight weeks from today, he shall be released on provisional bail. Simultaneously, his wife (complainant/opposite party No. 2) shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses. In case, the settlement is arrived at, the Court below shall fix the modality of the return of the complainant/opposite party No. 2 to her matrimonial home.

The provisional bail of the petitioner shall be



confirmed only on settlement of dispute between the parties  
or in the event of the complainant/opposite party No. 2  
deliberately choosing not to settle the dispute without any  
appropriate cause.

If the conduct of the petitioner is found to be  
genuine, his provisional bail shall be confirmed by the Court  
below.

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

**(Ashutosh Kumar, J)**

Praveen-II/-

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