

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74637 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- KADWA District- Katihar

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Md. Sadik, male, aged about 25 years, S/o Late Md. Siddik, Village-
Bachhardah, Meenapur Bairiya, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Arsadi Khatoon, female, aged about 21 years, W/o Md Sadik, D/o Md.
Alam, R/o Village- Tetaliya, P.S.- Kadwa, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal, Adv.
For the O.P. No. : Mr. Pawan Kumar Singh, Adv.
For the State : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 06-12-2021 Heard Mr. Suresh Prasad Sah @ Baranwal, the

learned Advocate for the petitioner and Mr. Pawan Kumar

Singh, the learned counsel for the opposite party No. 2. The

State is represented by the learned APP.

The petitioner seeks bail in anticipation of his
arrest in connection with Kadea P.S. Case No. 143 of 2019,
dated 04.07.2019, instituted for the offences under Sections



498(A) and 384 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.

The records of this case was directed to be transmitted to the Mediation and Conciliation Centre of the Patna High Court. However, for the reason of pandemic closure, the mediation process could not begin.

Considering the aforesaid stand of the petitioner, this Court directs that if he surrenders before the Court below within a period of three weeks from today, he shall be released on provisional bail. While granting provisional bail to the petitioner, his wife/opposite party No. 2, viz., Arsadi Khatton shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses by facilitating bilateral negotiations. The Court



would be expected to act as a mediator and in case it is found that there is every likelihood of the dispute being settled or in the event of the dispute being settled, the provisional anticipatory bail of the petitioner shall be confirmed.

If for some reason, which would not be attributable to the stand of the petitioner, the talks of settlement fails and it is found that it is because of the intransigence of the opposite party No. 2, that fact also shall be taken into account while passing an order confirming the provisional anticipatory bail of the petitioner.

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

The records from the Medaition Centre of the Patna High Court is, hereby, recalled.

(Ashutosh Kumar, J)

Praveen-II/-

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