

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73236 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- DHARHARA District- Munger

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Manoj Kumar, aged about 25 years, male, Son of Ram Udai Mahton @ Ram Udit Mahton, Resident of Village/Muhalla-West Sanha, P.S.-Sahebpur Kamal, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Kumari, Daughter of Late Narsingh Ram, Resident of Village-Muhalla-Shiv Kund, P.S.-Dharhara, District-Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Adv.
For the State : Mr./Ms. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 06-12-2021 Heard Mr. Sanjiv Kumar Singh, the learned counsel
for the petitioner and the learned APP for the State.

Even today, there is no appearance on behalf of
the opposite party No. 2.

The petitioner seeks bail in anticipation of his
arrest in connection with Dharhara (Hemjapur) P.S. Case
No. 143 of 2019, dated 21.06.2019, instituted for the



offences under Sections 341, 323, 498(A), 420 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

At the outset, the learned counsel for the petitioner has submitted that he is not averse to the talks of settlement with his wife/opposite party No. 2, provided she is agreeable for the same. He also wants a rapprochement and perhaps restitution of conjugal rights.

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) 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 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 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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