

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73827 of 2019

Arising Out of PS. Case No.-161 Year-2019 Thana- MAHILA P.S. District- Nalanda

NITISH KUMAR Son of Ram Pravesh Prasad Resident of Village -
Kharjama, Police Station - Noorsarai, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP Mr. Ajay Kumar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 20-12-2021 Heard Mr. Yogesh Chandra Verma, learned Senior Advocate for the petitioner and Mr. Ajay Thakur for the opposite party no. 2. The State is represented by Mr. Ram Sumiran Rai, learned APP for the State.

The petitioner, who is the husband of opposite party no. 2, seeks bail in anticipation of his arrest in connection with Nalanda Mahila P.S. Case No. 161 of 2019 dated 26.09.2019 instituted for the offences under Sections 498(A), 341, 323, 504, 506, 307 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The matter was earlier referred to the mediation centre of Patna High Court for effective resolution of dispute between the parties. However, with



the best efforts of the mediator, the dispute could not be resolved.

Learned counsel for the petitioner has submitted that he again wants to give the process of mediation a try. He has further submitted that he has offered a reasonably good amount towards the matrimonial dues of the opposite party no. 2.

Mr. Thakur, learned Advocate for the opposite party no. 2, however, submits that he is not averse to the idea of fresh negotiation between the spouses but according to his instruction the opposite party no. 2 is interested in resumption of the matrimonial life.

However, since the learned counsel for the parties are agreeable for a fresh round of negotiation, this Court deems it appropriate to refer the matter to the court below.

Should the petitioner surrenders before the court below within a period of six weeks he shall be released on provisional bail on his furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) of like amount. Simultaneously, the opposite party no. 2 shall be noticed. On her appearance, the court below shall provide an opportunity of fresh negotiation between the spouses. In case the parties become *ad idem* on the future course of action, the provisional bail granted to



the petitioner shall be confirmed or else the law shall
take its own course.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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