

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76441 of 2019**

Arising Out of PS. Case No.-42 Year-2019 Thana- MAHILA P.S. District- Bhojpur

AKASH KUMAR PATHAK, Son of Late Bisheshwar Pathak Resident of  
Village - Katai Bojh, P.S.- Tiyar, Distt - Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Rajni Kumari Wife of Akash Kumar Pathak Resident of Village - Katai Bojh, P.S.- Tiyar, Distt - Bhojpur.

... .. Opposite Parties

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Manoj Kumar, Advocate         |
| For the O.P. No. 2       | : | Mr. Rajendra Nath Sinha, Advocate |
| For the Opposite Party/s | : | Mr. Shaheen Begum, A.P.P.         |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      01-11-2021                      Heard learned counsel appearing on behalf of  
petitioner, learned counsel appearing on behalf of O.P. No.2 and  
learned A.P.P. for the State.

As jointly prayed by the parties that in view of the  
nature of allegation made in the F.I.R. in connection with  
Mahila P.S. Case No. 42 of 2019, dated 01.04.2019 under  
Section 341, 323, 379, 504, 506 and 498(A)/34 of the Indian  
Penal Code and Section 3 /4 of the Dowry Prohibition Act, both  
the parties wants to arrive at some amicable settlement.

Considering the aforesaid stand of the petitioner, 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 on such conditions, which the learned Court



below deems it fit in accordance with law. Simultaneously, his wife/complainant/O.P. 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/O.P. 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/O.P. 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.

**(Purnendu Singh, J)**

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