

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80142 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- BARSOI District- Katihar

MD. AKBAR Son of Bhatu @ Md. Bhutu Resident of Village - Kasbatoli,
P.S.- Barsoi, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Md. Helal Ahmad, Advocate
For the Opposite Party/s :	Ms. Anita Kumari, APP
	Mr. Md. Musowir, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

8 21-12-2021 Heard Mr. Md. Helal Ahmad, learned Advocate for the petitioner and Mr. Md. Musowir for the opposite party no. 2. The State is represented by Ms. Anita Kumari, 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 Barsoi P.S. Case No. 167 of 2019 dated 04.07.2019 which has been instituted for the offences under Sections 341, 323, 307 and 498(A) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The matter was referred to the mediation centre for the resolution of the matrimonial dispute between the spouses and the families but because of the Pandemic closure, the mediation process could not



commence.

A request has been made by the mediator to extend the time for such mediation.

However, this Court under the circumstances deems it appropriate that the records of this case be recalled from the mediation centre and the case be referred to the court below for an effective mediation between the parties under the aegis and supervision of the court.

The learned counsel for the petitioner has submitted that he is ready for settlement of all disputes which can be mutually agreed upon after negotiations.

The learned counsel for the opposite party no. 2 is also desirous that such negotiations take place and the issues are resolved.

Considering this stand of the parties, it is directed that in case the petitioner surrenders before the court below within a period of six weeks he shall be released on provisional bail subject to the satisfaction of the court below. Simultaneously, the opposite party no. 2 shall be noticed. On her appearance, ample opportunity shall be provided to the parties for negotiating the terms of settlement. Any settlement has to be mutually acceptable terms. If the parties agree and decide to resolve the issue, the provisional bail granted



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

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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