

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82417 of 2019

Arising Out of PS. Case No.-1967 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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CHUNNU DUBEY S/o Vishambhar Dubey R/o village- Bhandar, P.S.-
Pachpakadi, District- East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anshu Devi D/o Late Chandvansh Thakur R/o village- Uttari Gavandra Tola
Dharampur, P.S.- Chakiya, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rashmi Jha

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 27-09-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner, who is the husband of the opposite party no. 2 seeks bail in anticipation of his arrest in connection with trial no. 2384 of 2019 arising out of Complaint Case No. C-1967 of 2018 in which cognizance has been taken under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It appears from the records that on the assurance given by the petitioner that he will take back his wife in the matrimonial fold, this Court granted interim protection



to him with the condition that he shall bring back his wife to his home.

The learned counsel for the parties, however, has stated that such an arrangement could not fructify and, therefore, the matter was referred to the Mediation Center of Patna High Court.

None of the parties have appeared before the Mediation Center because of the pandemic closure.

The counsel for the petitioner reiterates that he is ready to settle the dispute with his wife.

The aforesaid stand is supported by the counsel for the opposite party no. 2, who also is desirous of an amicable settlement either by resumption of matrimonial life or a settlement in the alternative.

Considering the afore-noted facts and taking into account that uptil now the mediation process has not yet begun, this Court directs that the petitioner in the event of his arrest or surrender before the court below within a period of eight weeks from today shall be released on provisional bail on his furnishing bail bonds in the sum of Rs. 10,000/-



with two sureties of the like amount. Simultaneously, the opposite party no. 2 / wife shall be noticed and on her appearance, the court below shall provide ample opportunities to the spouses to settle their differences. If the dispute is settled and the parties agree for resumption of matrimonial life, the provisional granted to the petitioner shall be confirmed.

If for any reason it does not happen, then the court shall explore the possibilities of any viable alternative for ending the matrimonial dispute.

If the conduct of the either of the parties is found to be obstructionist or unreasonable, that shall be taken into account while passing the final order with respect to confirmation of the provisional bail.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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