

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86863 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- MAHILA P.S. District- Bhojpur

RAM BIHARI MISHRA Son of Late Kisan Kumar Mishra Resident of
Village- Parasaura, P.S.- Shahpur (Karnamepur O.P.), District- Bhojpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Rani Devi @ Rina Devi D/o Late Kanhaiya Lal Pandey R/o Village-
Bharasara, P.S.- Jagdishpur, District- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 23-08-2021 Heard Mr. Shiv Prasad Gupta, learned Advocate
for the petitioner and Mr. Shailendra Kumar, 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 Mahila P.S. Case No. 81 of 2019 dated 26.05.2019 instituted for the offences under Sections 341, 323, 379, 498A and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

On 17.02.2020, a Bench of this Court had issued notice to opposite party no. 2 and had granted interim protection to the petitioner. The opposite party no. 2 appears to have refused to accept the notice.

In that view of the matter, this Court directs



that in the event of the surrender of the petitioner within a period of eight weeks from today, he shall be granted provisional bail and simultaneously notice shall be issued to the informant. On the appearance of the informant, the court will explore the possibilities of settlement and if the issues between the spouses are settled, the provisional bail of the petitioner shall be confirmed. The provisional bail of the petitioner shall also be confirmed in the event of the informant showing an unreasonable attitude during the deliberations. If the conduct of the petitioner is not good, that should also be taken into account before confirming the provisional bail of the petitioner.

The petition stands disposed of.

(Ashutosh Kumar, J)

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