

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65923 of 2019

Arising Out of PS. Case No.-204 Year-2019 Thana- NAANPUR District- Sitamarhi

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Aditya Solanki @ Prakash @ Prakash Kumar Son of Sri Kamlesh Prasad
Dubey Resident of Village- Koirgama, P.S.- Chakiya, District- East
Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nachiketa Jha
For the Informant	:	Mr. Pushpendra Kumar Singh
For the State	:	Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 08-02-2022 Heard learned counsel for the petitioner,

informant and learned A.P.P for the State.

The petitioner being husband of the informant

is apprehending his arrest in a case registered for the

offences punishable under Sections 498(A), 406 of the

Indian Penal Code and Section 3 /4 of the Dowry

Prohibition Act.

It appears that vide order dated 04.11.2019,

the matter was referred to the Mediation & Conciliation

Centre of the Patna High Court and the petitioner was



granted provisional bail. Thereafter, several adjournments were given by this Court with a view to resolve the issue through the process of mediation but till date, the report of the Mediator has not been received to this Court and again a prayer has been made on behalf of the Mediator for extension of time.

It is submitted by learned counsel for the petitioner that informant has performed second marriage and before the Mediation Centre also the informant did not appear. It is further submitted that before filing of the present case, the petitioner has already filed Matrimonial Case No. 71 of 2019 for dissolution of marriage. However, the petitioner is still ready to keep the informant as wife with full dignity and honour, though statement to that effect has not been made in the petition.

Learned counsel appearing on behalf of the informant has refuted the assertion of the petitioner that informant has performed second marriage and submits



that the informant has appeared before the Mediation Centre but it was the petitioner who did not cooperate with the Mediation Centre.

Considering the fact that petitioner is ready to keep the informant as wife with full dignity and honour, the divorce petition has been filed at earlier point of time and the matter could not be resolved through the process of mediation after granting several adjournments, the provisional bail granted to the petitioner vide order dated 04.11.2019 is hereby confirmed.

However, if the informant wishes to reside with the petitioner, she will file a petition before learned Court below when it is expected from the learned Court below to issue notice to the petitioner for his appearance before learned court below. On appearance, the petitioner will be under an obligation comply the undertaking given before this Court and will take the informant to her matrimonial house to keep her as wife



with full dignity and honour.

With the aforesaid observation/direction, the
petition stands disposed off.

(Sunil Kumar Panwar, J)

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