

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36895 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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RISHI KUMAR @ RISHI TIWARI SON OF SANJEET TIWARI
RESIDENT OF VILLAGE- RAUNA, P.S.- KONCH, DISTRICT- GAYA,
(BIHAR)

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANSHU KUMARI DAUGHTER OF MANOJ BANJARA RESIDENT OF
MOHALLA- KRISHNA OBRA, P.S.- OBRA, DISTRICT-
AURANGABAD (BIHAR)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 22-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
the office when called upon.

Petitioner apprehends his arrest in connection with
Compliant Case No. 195 of 2021, instituted for the offence
under Section(s) 498A, 379/34 of the Indian Penal Code (for
brevity 'IPC') and ³/₄ of Dowry Prohibition Act (for brevity
'D.P. Act).



Learned counsel for the petitioner submits that petitioner is willing to reconcile the issue with his wife. It is further submitted that the petitioner will make all genuine efforts to reconcile the issue so that the reconciliation culminates in restoration of matrimonial harmony or one time settlement as may be agreed upon between the petitioner and the opposite party No. 2.

Learned counsel for the Opposite Party No. 2 does not object to such proposal as long as amicable settlement is reached between the parties. It is further submitted that the petitioner be put to strict terms.

In view of the nature of allegation, the long period of subsisting marriage between the parties and the fact that since terms of reconciliation has to be worked out, this Court would direct that if the petitioner surrenders in the court below, i.e., the court of learned S.D.J.M, Daudnagar, Aurangabad, within a period of four weeks from today, in connection with Compliant case No. 195 of 2021, and submits an undertaking to this effect at the time of his surrender, the court below, after issuing notice to Opposite party No. 2 will grant provisional bail to the petitioner for a period of three months. The parties would make attempt to work out an amiable resolution of the dispute and the



matter would be reviewed by the court below after three (3) months . This Court makes it clear that if the issue is resolved amicably, the provisional bail granted to the petitioner should be confirmed. If the developments are, however otherwise, the court below would be free to pass orders in exercise of its judicial discretion, including cancellation of the provisional bail granted to the petitioner.

With the aforesaid observations the application stands disposed of.

(Madhuresh Prasad, J)

Raj kishore/-

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