

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36147 of 2022

Arising Out of PS. Case No.-87 Year-2020 Thana- KATEYA District- Gopalganj

Sandeep Gond Son Of Shyam Sundar Gond R/O Village- Patkhauli, P.S.-
Bijaipur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal

Mr. Prince Kumar Mishra

Mr. Vikas Kumar Jha, Advocates

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 23-05-2023 Heard learned counsel for the petitioner and learned
counsel for the informant/Opposite Party No. 2.

The petitioner apprehends arrest in Kateya PS Case No.
87 of 2020, registered for the offence punishable under Sections
341,323,498A and 504 of Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

Learned counsel for the petitioner submits 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 informant/opposite party No.2.

Learned Counsel for the informant/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 said submission 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 CJM Gopalganj, within a period of four weeks from today, in connection with Kateya PS Case No. 87 of 2020 and submits an undertaking to this effect at the time of his surrender, the court below, after issuing notice to Opposite party No. 2 (wife) 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 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.

It is made clear that the order dated 09-01-2023, passed by a co-ordinate Bench of this Court, wherein, the petitioner is ready to make a payment of Rs. 2000/- per month to the informant/opposite party No.2, shall continue to bind the petitioner, in the meanwhile.

With the aforesaid observations the application stands disposed of.

(Madhuresh Prasad, J)

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