

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52845 of 2022

Arising Out of PS. Case No.-91 Year-2021 Thana- MAHILA P.S. District- Rohtas

Himanshu Kumar, Male, aged about 31 years, Son of Late Anil Kumar Singh
R/O Village- Narayanpur, P.P.C.L. Colony, P.S.- Indrapuri, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reema Kumari W/O Himanshu Kumar, R/O Village- Narayanpur, P.P.C.L. Colony, P.S.- Indrapuri, District- Rohtas, At Present Resident Of Village- Rajbarwa Bigha, P.O. And P.S.- Dalmianagar, District- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Mahila P.S. Case No. 91/2021 registered for the offences punishable under Sections 341, 323, 313, 498(A), 506, 34 of the Indian Penal Code (for brevity the 'I.P.C.').

It is submitted by the counsel for the informant that the informant is still desirous of resuming normal matrimonial relationship with the petitioner.

Since 05.06.2022 the petitioner is stated to be in custody. The informant has alleged that she has been subjected to cruelty by the petitioner.

The parties are in agreement that efforts may be made for resolution of the dispute in mediation proceedings.

Considering the submission, also the facts and circumstances of the case, this Court would direct that to facilitate amicable resolution between the parties, the petitioner would be released on



provisional bail for a period of three (3) months in connection with Mahila P.S. Case No. 91/2021 to the satisfaction of the learned Sub Judge-VII-cum-A.C.J.M., Sasaram, Rohtas, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

The learned Trial Court will review the situation after three months as regards any amicable resolution that may be formalised between the parties, including allowing the informant to reside with the petitioner. If such a compromise is achieved the bail shall be confirmed. Otherwise, the Court below would be at liberty to pass appropriate orders in accordance with law, which may include cancellation of provisional bail granted to the petitioner.

The application stands disposed of.

(Madhuresh Prasad, J)

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