

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55823 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- MAHILA P.S District- West Champaran

Ratnesh Kumar Singh S/O Shamhu Nath Singh R/O Village- Parsa
Banchahari, P.S- Bagaha 1, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rani Kumari W/O Ratnesh Kumar Singh, D/O Gopal Ji Prasad R/O Village- Parsa Banchahari , P.S- Bagaha 1, Distt- West Champaran At present R/O Naya bazar, Bettiah, Ward No. 09, P.S- Bettiah (Town), West Champaran
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey, Advocate
For the State	:	Mr.Kumar Veerendra Narayan, APP
For the O.P. No.2	:	Mr. Avinash Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 25-04-2023 Heard learned counsel for the petitioner, learned counsel
for the State as well as learned counsel for the informant.

2. The petitioner seeks pre-arrest bail in connection with Bettiah (Mahila) P.S. Case No. 15 of 2022 registered for the offences punishable under Section 420, 498A, 313, 316, 504, 506, 341, 323, 34 of the Indian Penal code and Section 3 and 4 of Dowry Prohibition Act.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is posted as Constable in BSF and presently posted at Sambha Sector in Jammu & Kashmir. He informs that petitioner never married with O.P. No.2 rather O.P. No.2 is married with Jaiki Paten s/o Ran Vijay Patel.

4. Mr. Aviniash Raj, learned counsel appearing on behalf



of the O.P. No.2 informs this Court that petitioner performed married with O.P. No.2 and thereafter he has deserted her and is not ready to keep her. He further informs this Court that there are ample evidence with O.P. No.2 to prove the marriage.

5. Considering the rival submissions of the parties and nature of allegation, the Superintendent of Police, Bettiah, West Champaran is directed to call upon the petitioner and O.P. No.2 and hold reconciliation proceeding between the parties in presence of a lady police officer not below the rank of the Dy. S.P. If the parties in first meeting are agreed to reconcile the matrimonial dispute, in that case further four weeks time is granted to the parties, if required, so that such reconciliation meeting take place in presence of lady police officer. The Superintendent of Police must also ensure giving protection to the parties who are not having good relationship with each other. If it is found that the parties are ready for this, the report must be submitted by the Dy. Superintendent of Police to the Court below and the Court below shall release the petitioner on provisional bail and after observing the conduct of the parties and if he finds that no compliant is made by O.P. No.2, then in that case provisional bail granted to the petitioner shall be made absolute after one year.

6. The petitioner is earning member who has favoured to



support O.P. No.2 who deserve financially. Till the reconciliation proceeding remains with the Dy. Superintendent of Police, interim protection granted by this Court vide order dated 09.12.2022 shall continue. The report is required to be submitted before the Court below. The Court below thereafter shall consider to release of the petitioner on provisional bail for specific period and confirm the same after observing the conduct of the parties on such terms as he deems fit and proper and subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will loose its force.

7. With the aforesaid observation and direction, this bail application is disposed of.

(Purnendu Singh, J)

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