

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 61682 of 2022**

Arising Out of PS. Case No.-33 Year-2022 Thana- MAHILA PS District- Gaya

MANISH KUMAR BHARTI Son of Late Ghanshyam Paswan R/V- Katari,
P.S- Chandauti, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari, Wife of Manish Kumar Bharti, D/o Bhuneshawar Paswan
R/V- Pujapi (Katari) P.S- Chandauti, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner, State and the informant.

Petitioner seeks bail in Mahila Police Station (for brevity, **PS**) Case No 33 of 2022 registered for the offence punishable under Sections 498A, 341, 342/34 of Indian Penal Code and Sections 3, 4 of Dowry Prohibition Act.

Petitioner, being husband, is alleged of perpetrating cruelty upon the informant (wife).

It is submitted that the informant has lodged the case on failure to coerce the petitioner to reside with her, independent of his mother. It is further submitted that the petitioner's mother is an elderly lady and, therefore, the petitioner could not heed to such request and, therefore, has been implicated in this case. In fact, the petitioner and his family are more than willing to keep the informant with full honour and dignity. Allegations, as per the petitioner's counsel, are false. The petitioner, having no antecedent, is in custody since 23.04.2022.



Learned APP and learned counsel for the informant have opposed the prayr for bail.

Considering the rival submissions, clean antecedent, period of custody and submission of the petitioner’s counsel regarding willingness of the petitioner to maintain his wife with full honour and dignity in matrimonial relationship, the petitioner is allowed provisional bail for a period of three months from today on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Gaya in Mahila PS Case 33 of 2022, for exploring possibility of settlement/resolution through mediation at the District Court Level.

The Court below, after three months, will consider the matter and, based on the outcome of the efforts to reconcile the issue, will pass appropriate orders exercising its discretion in accordance with law, which may include confirmation or cancellation of bail.

This application stands disposed of.

(Madhuresh Prasad, J)

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