

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73743 of 2022

Arising Out of PS. Case No.-362 Year-2021 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

Mukesh Kumar Soni @ Mukesh Kumar Son Of Jitendra Sah R/O Village-
Singari, Ward No.9, P.S.- Semra, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amisha Devi Wife Of Mukesh Kumar Soni @ Mukesh Kumar, D/O Shyam
Soni R/O Village- Narainapur Ghat, P.S.- Bagaha (PATHKHAULI O.P.),
District West Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Vijay Kr Singh No. 1, Adv.
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma Mr. Suresh Prasad Sharma, Advocates

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 3 23-05-2023 Heard learned counsel for the petitioner and learned
counsel for the Opposite Party No. 2.

The petitioner apprehends arrest in Tr. No. 980 of 2022,
arising out of Complaint Case No. 362 of 2021, registered for
the offence punishable under Sections 498(A), 323, 406 and
504 of Indian Penal Code. But, the cognizance has been taken
under Section 498A of the IPC.

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 complainant/opposite party No.2.

Learned Counsel for the complainant/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 Judicial Magistrate 1st Class, Bagaha, West Champaran, within a period of four weeks from today, in connection with Tr. No. 980 of 2022, arising out of Complaint Case No. 362 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 (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.

With the aforesaid observations the application stands
disposed of.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

