

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5049 of 2023**

Arising Out of PS. Case No.-2200 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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DILIP SINGH, Son of Balchand Prasad @ Balchand Pd. Singh @ Balchandra Prasad Singh, Resident of Village - Randaha, P.S.- Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Priyanshu Kumari, Wife of Dilip Singh, D/o Dayashankar Rai, Resident of Village - Randaha, P.S.- Rajapakar, District - Vaishali, At present residing at village and P.O.- Salha, P.S.- Jandaha, District - Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Arjun Prasad, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP
For Opposite Party No.2	:	Mr. Manish Chandra Gandhi, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 23-05-2023 Heard learned counsel for the petitioner and learned APP

for the State as well as learned counsel for the opposite party

no.2.

Petitioner apprehends his arrest in connection with Complaint Case No. 2200 of 2018, instituted for the offence under Sections 323, 341, 498A and 34 of the Indian Penal Code (for brevity 'IPC') and Section 4 of Dowry Prohibition Act (for brevity 'D.P. Act'), in which cognizance of the offence has been taken under Sections 498A and 34 of IPC and Section 4 of the D.P. Act.

Learned counsel for the petitioner submits that petitioner



is willing to reconcile the issue with his wife. It is further submitted 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 opposite party No. 2.

Learned counsel for the 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 nature of allegation, the long period of subsisting marriage between the parties and the fact that 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 Sub-Divisional Judicial Magistrate, Vaishali at Hajipur, within a period of four weeks from today, in connection with Complaint Case No. 2200 of 2018, and submits an undertaking to this effect at the time of his surrender, the court below, after issuing notice to Opposite party No. 2 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 (3) 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)

Shashank/
gaurav.s-

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