

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45939 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- MAHILA P.S. District- Nalanda

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SHAMS NADIM @ MD. SHAMS NADIM Son of Jasim Uddin Resident of
Village - Sherpur, P.S.- Laheri, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-08-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Mahila P.S. case no. 24 of
2019 instituted for the offence under Section(s) 307, 313, 232, 380,
406,419,420, 467, 468, 498A/34 of the Indian Penal Code and
Section 3/4 of the D.P.Act.

Learned counsel for petitioner submits that petitioner is
husband of informant. He is ready to keep his wife. But wife does not
want to live with him. He submits that wife has appeared in
Matrimonial case no. 422 of 2018 and has stated that she does not
want to live with petitioner. Petitioner is ready for one time
settlement with the informant.

Learned counsel for the informant is present in Court. He
submits that informant is also ready for one time settlement with
petitioner.



Petitioner is in custody since 10.6.2019.

Considering the aforesaid, let the petitioner, above named, be released on provisional bail for a period of six months on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the CJM Nalanda Bihar Sharif, in connection with Mahila P.S. case no. 24 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioner.

In the meantime petitioner will make effort for settlement with informant. The court below will monitor the relationship between the parties by calling both of them every month in the Court. In the event the court below finds that good conjugal relationship has been restored between the husband and wife and wife does not make any complaint about the physical and mental torture committed by the petitioner during the period of her stay with him or one time settlement has taken place by mutual consent of parties or the court below finds that good conjugal relationship or one time settlement could not be restored on account of indifferent attitude of wife, the court below will confirm the provisional bail of petitioner after six months.

The bail application stands disposed off.

(Sanjay Priya, J)

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