

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19035 of 2020

Arising Out of PS. Case No.-452 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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MD AKBAR S/o Md. Habibur Rahman @ Habibur Rahman Resident of
Village- Silampur, P.S.- Balrampur, Distt- Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Munni Khatoon D/o Habibur Rahman Resident of Village- Silampur, P.S.-
Balrampur, Distt- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 09-10-2020 Heard Mr. Naffisuzzoha, learned counsel for the

petitioner and Ms. Renu Kumari, learned APP for the

State.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 452 of
2018, dated 12.03.2018, in which cognizance has been
taken under Section 498 (A) of the Indian Penal Code.

On 21.07.2020, this Court had directed for
issuance of notice to Opposite Party No. 2 subject to the
deposit of the requisites by the petitioner. The petitioner



was granted provisional bail in the meanwhile.

Today, learned counsel for the petitioner submits that for some reason or the other, requisites for issuance of notice could not be filed by the petitioner.

In that view of the matter, this Court disposes of this bail petition with a direction that in case the petitioner surrenders before the court below within a period of eight weeks from today and expresses his willingness to bring back the complainant / Opposite Party No. 2 to her matrimonial home, he shall be released on provisional bail. The Opposite Party No. 2 shall be noticed and on her appearance, the court below shall explore the possibility of settlement of the matrimonial dispute.

If the Opposite Party No. 2 is willing to go with the petitioner to join the matrimonial fold, the provisional bail of the petitioner shall be confirmed. If for no apparent / plausible reason, Opposite Party No. 2 refuses to join the matrimonial fold, that should also be



taken into account by the Court while passing an order
of confirmation of provisional bail.

With the aforesaid observation / direction, this
petition stands disposed off.

(Ashutosh Kumar, J)

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