

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81650 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- MAHILA P.S. District- Madhubani

Md. Kalam, Son of Md. Mustafa, Resident of Village - Dhanga, Purwari Tola,
Police Station - Arer, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yasmeen Khatoon, W/o Md. Kalam, D/O Md. Moain, Resident of Village - Dhanga, Purwari Tola, Police Station - Arer, District - Madhubani. At Present Bhelwa Tola Jay Nagar, Ward No. 17, Gram Panchayat Belhi South, Police Station - Jay Nagar, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate.
For the Opposite Party/s : Mr.Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 10-09-2020 Heard Mr. Rajesh Kumar learned counsel for the petitioner, Mr. Gagandeo Yadav learned counsel for the opposite party no. 2 and also Mr. Dashrath Mehta learned A.P.P. appearing for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Madhubani Mahila P.S. Case No. 54 of 2019, registered under Sections 323, 341, 498(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is ready to keep his wife-opposite party no. 2 with full dignity and honour and the same facts has already been narrated in paragraph 7 of the bail petition.



Learned counsel for the opposite party no. 2 submits that opposite party no.2, who is the wife of petitioner, is also ready to lead conjugal life with the petitioner and he has no objection in allowing the provisional pre-arrest bail of the petitioner. Learned counsel for the opposite party no. 2 further submits that petitioner may be allowed pre-arrest bail provisionally with direction to the trial court to send the matter before the District Mediation Centre, Madhubani for settlement of dispute in between the petitioner and the opposite party no. 2 amicably.

In view of submission of learned counsel for the petitioner and the opposite party no.2, let the above named petitioner be released on bail, in the event of his surrender within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Madhubani, in connection with Madhubani Mahila P.S. Case No. 54 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C, for one year. The learned S.D.J.M., Madhubani is directed to send the matter before the District Mediation Centre, Madhubani, within two months for settlement of dispute in between petitioner and the opposite party no.2. If



the matter is settled in between the petitioner and the opposite party no. 2, the learned S.D.J.M., Madhubani shall confirm the provisional pre-arrest bail of the petitioner. In case the matter is not settled in between the petitioner and the opposite party no. 2 on the fault at the end the petitioner, the learned S.D.J.M., Madhubani would be at liberty to cancel the provisional pre-arrest bail of the petitioner.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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