

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12306 of 2021

Arising Out of PS. Case No.-423 Year-2020 Thana- BASANTPUR District- Siwan

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Ashish Kant Murari @ Ashish Kant, aged about 25 years, male, S/o Suresh Singh, Resident of Village- Gopalpur Tole Bhiswan, P.S.- O.P. Lakri Babiganj, Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bindu Devi, aged about 23 years, female, W/o Ashish Kant Murari, R/o Village- Gopalpur Tole Bhiswan, P.S.- O.P. Lakri Nabiganj, Distt.- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 23-12-2021 Heard Mr. Praveen Kumar, the learned Advocate

for the petitioner and the learned APP for the State.

The petitioner, who is the husband of the opposite party No. 2, seeks bail in anticipation of his arrest in connection with Basantpur (Lakri Nabiganj) O.P.) P.S. Case No. 423 of 2020, dated 12.10.2020, instituted for the offences under Sections 323 and 498(A)/34 of the Indian



Penal Code and Section 3/4 of the Dowry Prohibition Act.

At the outset, the learned Advocate for the petitioner has submitted that he is not averse to the talks of settlement with his wife/opposite party No. 2, provided she is agreeable for the same. He also wants a rapprochement and perhaps restitution of conjugal rights.

Considering the aforesaid stand of the petitioner, this Court directs that if he surrenders before the Court below within a period of six weeks from today, he shall be released on provisional bail. Simultaneously, his wife (opposite party No. 2) shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses. In case, the settlement is arrived at, the Court below shall fix the modality of the return of opposite party No. 2 to her matrimonial home.

The provisional bail of the petitioner shall be confirmed only on settlement of dispute between the parties or in the event of the opposite party No. 2 deliberately choosing not to settle the dispute without any appropriate cause.



If the conduct of the petitioner is found to be genuine, his provisional bail shall be confirmed by the Court below.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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