

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8732 of 2020

Arising Out of PS. Case No.-1603 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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AMAN KUMAR SAH @ AMAN KUMAR, Son of Ramnath Sah Resident of
Village - Madhuahan, P.S.- Kotwa, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gurhiya Kumari, D/o Sitaram Prasad Sah Resident of Village - Parsa, P.S.-
Pakaridayal, Dist.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 04-10-2021 Heard Mr. Umesh Chandra Verma, learned

counsel for the petitioner and Mr. Vijay Shankar

Srivastava, learned counsel for the Opposite Party No. 2.

The State is represented by Mr. Anuj Kumar Srivastava,

learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Trial No. 2639 of 2019, arising

out of Complaint Case No. C-1603 of 2019, in which

cognizance has been taken under Section 498(A) of the

Indian Penal Code.



The petitioner is the husband of Opposite Party No. 2 and is ready for settlement of matrimonial dispute, provided she is agreeable for the same.

Notwithstanding the differences with his spouse, the petitioner is even today ready for negotiations with his wife / Opposite Party No. 2 for settlement of matrimonial dispute and return of his wife to her matrimonial home and if the aforesaid proposal of the petitioner is not acceptable to her, he shall also not be averse to entering into negotiations for a one time settlement.

Considering the aforesaid stand of the petitioner, this Court directs that if he surrenders before the court below within a period of eight weeks from today, he shall be released on provisional bail. While granting provisional bail to the petitioner, his wife / Opposite Party No. 2, viz., Gurhiya Kumari shall be noticed and on her appearance, the court below shall explore the possibilities of settlement between the



spouses by facilitating bilateral negotiations. The Court would be expected to act as a mediator and in case it is found that there is every likelihood of the dispute being settled or in the event of the dispute being settled, the provisional anticipatory bail of the petitioner shall be confirmed.

If for some reason, which would not be attributable to the stand of the petitioner, the talks of settlement fails and it is found that it is because of the intransigence of Opposite Party No. 2, that fact also shall be taken into account while passing an order confirming the provisional anticipatory bail of the petitioner.

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

(Ashutosh Kumar, J)

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