

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9322 of 2020

Arising Out of PS. Case No.-1795 Year-2017 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

NAVNEET KUMAR @ NAVNEET KUMAR SINGH, Son of Ram Ekbal
Singh Resident of Village - Punaura, P.S.- Town, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savita Kumari @ Savita, D/o Late Ramjeevan Singh, w/o Navneet Kumar @ Navneet Kumar Singh Resident of Village - Punaura, P.S.- Town, Dist.- Sitamarhi. at present resident of Village - Shahi Minapur, P.S.- Aurai, Dist.- Muzaffarpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 25-10-2021 Heard Mr. Manoj Kumar, learned advocate for

the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 1795 of 2017, corresponding to Tr. No. 2875 of 2018, in which cognizance has been taken under Sections 323, 341, 379, 498(A), 504, 506 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

The petitioner is the husband of Opposite Party



No. 2.

This Court had, by order dated 02.03.2020, issued notice to Opposite Party No. 2 and had granted interim relief to the petitioner.

Though the petitioner had filed the requisites for issuance of notice to Opposite Party No. 2 but only after the period so prescribed by this Court and hence the case was dismissed for non-compliance of the peremptory order of this Court with respect to Opposite Party No. 2.

This case has remained alive only against Opposite Party No. 1, i.e., the State of Bihar.

The learned advocate for the petitioner has submitted that the requisites for the notice has already been filed by him but only belatedly. However, considering the fact that the petitioner who is the husband of Opposite Party No. 2 is ready to negotiate for settlement of his matrimonial dispute with his wife, this Court deems it appropriate that in the event of the



petitioner surrendering before the court below within a period of eight weeks, he shall be released on provisional bail, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., East Muzaffarpur, in connection with Complaint Case No. 1795 of 2017, corresponding to Tr. No. 2875 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

While granting provisional bail to the petitioner, his wife / Opposite Party No. 2, viz., Anita 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)

skm/-

U		T	
---	--	---	--

