

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9139 of 2020

Arising Out of PS. Case No.-124 Year-2019 Thana- COMPLAINT CASE District-
Kishanganj

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AFSAR ALAM Son of Zahid Warshi @ Zahid Alam Resident of Village -
Titaha, P.S.- Kochadhaman, District - Kishanganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Nosari Praween Daughter of Naushad Alam Resident of Village - Bahikol,
P.S.- Kochadhaman, District - Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-12-2021 Heard Mr. Sarangdhar Jha, learned Advocate

for the petitioner and Mr. Humayou Ahmad Khan,

learned APP for the State.

The petitioner, who is the husband of opposite
party no. 2, seeks bail in anticipation of his arrest in
connection with Complaint Case No. C-124 of 2019 in
which cognizance has been taken under Sections 323
and 498(A) of the Indian Penal Code and Sections 3/4
of the Dowry Prohibition Act.

By order dated 28.02.2020 notice was directed



to be issued to opposite party no. 2, but there is no appearance on her behalf.

The petitioner is ready to settle the matrimonial dispute and keep his wife with due dignity and honour, provided she is agreeable for the same.

In view of the categorical stand of the petitioner that he is ready to sit across the table and make efforts at resolving the matrimonial dispute, this Court deems it appropriate to direct that in the event of the petitioner surrendering before the court below within a period of three 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. Simultaneously, the opposite party no. 2 also shall be noticed. On the appearance of the opposite party no. 2, the court below shall provide ample opportunities to the spouses/parties to negotiate and settle the differences in an amicable manner. The parties would also be at liberty to go for a one time settlement if restitution of conjugal



rights does not appear to be possible. If the dispute is settled, the provisional bail granted to the petitioner shall be confirmed. If at all the court finds that the conduct/stand of the parties is obstructive and unreasonable that shall be taken into account for passing a final order of confirmation of provisional bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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