

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12959 of 2020

Arising Out of PS. Case No.-118 Year-2018 Thana- CHANAN District- Lakhisarai

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Satsharan Pandit @ Nawal Pandit, aged about 35 years, male, Son of Sakindra Pandit, Resident of Village - Kunder, P.S. - Chanan, District – Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sarswati Devi, aged about 28 years, female, Wife of Satsharan Pandit @ Nawal Pandit, D/o Satyanarayan Pandit, presently resident of Village - Eton, P.S. - Chanan, District - Lakhisarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Narsingh Tanti, Adv.
For the O.P. No. 2	:	Mr. Mayank Bilochan, Adv.
For the State	:	Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 02-11-2021 Heard Mr. Narsingh Tanti, the learned Advocate for the petitioner and Mr. Mayank Bilochan, the learned counsel for the opposite party No. 2. The State is represented by the learned APP.

The petitioner, who is the husband of the opposite party No. 2, seeks bail in anticipation of his arrest in connection with Chanan P.S. Case No. 118 of 2018 instituted for the offences under Sections 498(A), 341 and 323/34 of the Indian Penal Code.



There are several accusation against the petitioner and the counsel for the opposite party No. 2 has also informed this Court that during the pendency of her marriage with the petitioner, the petitioner has contracted another marriage.

Notwithstanding the aforesaid fact, the counsel for the parties are *ad idem* that another effort at conciliation between the parties be done under the supervision of the Court below.

The specific stand of the petitioner also is that he is ready for negotiating with his wife/opposite party No. 2, provided she is agreeable for the same for an amicable resolution of the matrimonial dispute. If the resumption of matrimonial life is not possible, the parties are even then desirous of continuing with negotiations for one time settlement, covering the entire matrimonial dues of the opposite party No. 2.

Considering the aforesaid stand of the parties, this Court directs that if the petitioner surrenders before the Court below within a period of eight weeks from today, he



shall be released on provisional bail. Simultaneously, his wife (opposite party No. 2), viz., Sarswati Devi 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 the 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, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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