

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19120 of 2020

Arising Out of PS. Case No.-751 Year-2017 Thana- COMPLAINT CASE District- Jamui

BIJAY MANDAL @ VIJAY KUMAR, S/o Nageshwar Mandal @ Nago
Mandal R/o village- Kiul Basti, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jyoti Kumari, W/o Bijay Kumar R/o village- Kiul Basti, P.S.- Lakhisarai,
District- Lakhisarai, D/o Santosh Kumar, R/o village- Khaira, P.S.- Khaira,
District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

9 19-07-2021 Heard Mr. Pankaj Kumar Sinha, learned counsel

for the petitioner and Mr. Ganesh Prasad Singh, 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. 751 C of 2017, in

which cognizance has been taken under Section 498 A of

the Indian Penal Code.

This case has been adjourned on several

occasions because of non-appearance of Opposite Party



No. 2 who has already been noticed.

Under such circumstances and taking into account the stand of the petitioner that he is willing to enter into negotiations with his wife for settling their matrimonial differences and that he is also ready for any alternative / amicable settlement, if the Opposite Party No. 2 is not willing to join the petitioner as his wife, this Court deems it appropriate to refer the matter to the court below.

Should the petitioner surrender before the court below within a period of eight weeks from today and expresses his willingness to bring back the complainant / Opposite Party No. 2 to her matrimonial home or agree for an amicable settlement in the alternative, he shall be released on provisional bail.

The Opposite Party No. 2 shall be noticed and on her appearance, the court below shall explore the possibility of settlement of the matrimonial dispute.

If the Opposite Party No. 2 is willing to go with



the petitioner to join the matrimonial fold or for alternative amicable settlement, the provisional bail of the petitioner shall be confirmed. If for no apparent / plausible reason, Opposite Party No. 2 refuses to join the matrimonial fold, that should also be taken into account by the Court while passing an order of confirmation of provisional bail.

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

(Ashutosh Kumar, J)

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