

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25700 of 2020

Arising Out of PS. Case No.-225 Year-2019 Thana- BAUSI District- Purnia

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Md. Ijhar Asraf @ Izhar Ashraf, aged about 29 years, male, Son of Md. Julfkar @ Md. Julfakar, Resident of Village- Dhaprasia, P.S.- Kadwa, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asraful Khatoon @ Ashrafan Khatoon @ Asrefun, Wife of Md. Ijhar Asraf @ Izhar Ashraf, Daughter of Abdul Rashid, Resident of Village- Dhaprasia, P.S.- Kadwa, District- Katihar, at present resident of Mohania, P.S.- Baisi, District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad Sah, Adv.
For the O.P. No. 2	:	Md. Fazle Karim, Adv.
For the State	:	Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

8 21-12-2021 Heard Mr. Rajendra Prasad Sah, the

learned Advocate for the petitioner and Md. Fazle

Karim, the learned counsel for the opposite party No.

2. The State is represented by the learned APP.

The petitioner, who is the husband of



opposite party No. 2, seeks bail in anticipation of his arrest in connection with Baisi P.S. Case No. 225 of 2019, dated 22.09.2019, instituted for the offences under Sections 498(A), 323, 506 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act and Section 3/4 of the Muslim Women (Protection of Right on Marriage) Act, 2019.

The matter was earlier referred to the Mediation and Conciliation Centre of the Patna High Court for effective resolution of the matrimonial dispute but because of the non-appearance of the parties before the Mediation Centre, the same could not commence.

Under the circumstances, this Court directs for withdrawal of the records of the case from the Mediation and Conciliation Centre of the Patna High Court.

The learned counsel for the petitioner has submitted that he is ever ready for negotiating with his wife (opposite party No. 2) for a settlement of



the matrimonial dispute, provided she is agreeable for the same.

The counsel for the opposite party No. 2 is also not averse to the idea of negotiation for a final settlement, either for resumption of matrimonial life or for a one time settlement towards the 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 six weeks from today, he shall be released on provisional bail. Simultaneously, his wife (opposite party No. 2) shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses after giving them ample opportunities.

In case, the settlement is arrived at which is mutually acceptable to both the parties, the provisional bail of the petitioner shall be confirmed by the Court below or else, the law will take its own



course.

With the aforesaid observation/direction,
the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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