

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35126 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

MD. AKBAR @ AKBAR, Son of Md. Wakil Resident of Village-
Mangalgarh, Police Station- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahjahan Khatoon, W/o Md. Akbar, Daughter of Md. Jahir Resident of
Village- Majhaul, Ward No. 2, Police Station- Manjhaul, O.P.- Cheriya
Bariyarapur, District- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 31-08-2021 Heard Mr. Binod Kumar Sinha, learned
advocate for the petitioner and Mr. Manoj Kumar,
learned counsel for Opposite Party No. 2. The State is
represented by Mr. Aditya Narayan Singh, learned APP.

The petitioner, who is the husband of Opposite
Party No. 2, seeks bail in anticipation of his arrest in
connection with Complaint Case No. 101C of 2018, in
which cognizance has been taken under Sections 323,
498A, 506 and 34 of the Indian Penal Code and
Sections 3 and 4 of the Dowry Prohibition Act, 1961.



By order dated 22.10.2019, the matter was sent to the Mediation Centre for amicable settlement of disputes.

The mediation between the spouses could not take place because of the closure of the Mediation Centre on account of Corona Pandemic.

The parties are still ready for negotiations.

Under the aforesaid circumstances, 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. While granting provisional bail to the petitioner, his wife / Opposite Party No. 2, viz., Shahjahan Khatoon 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)

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