

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34580 of 2020

Arising Out of PS. Case No.-51 Year-2019 Thana- MAHILA PS District- Katihar

Amrendra Sharma Son of Vishwanath Sharma Resident of village- Juravganj,
P.S.- Korha, Distt- Katihar.

Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Parashuram Singh
For the State : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 27-10-2021 Heard learned counsel Shri Sanjeev Kumar Singh,

 appearing on behalf of the petitioner, learned counsel Shri

 Parashuram Singh, appearing on behalf of the O.P. No.2 and learned

 APP Shri Ram Sumiran Rai appearing on behalf of the State.

The petitioner seeks anticipatory bail for the alleged
offence under Sections 498(A), 323, 494 and 379/34 of the Indian
Penal Code arising out of Mahila P.S. Case No. 51 of 2019 pending
in the Court of learned S.D.J.M., Katihar.

At the outset, learned counsel appearing on behalf of the
parties prays that they are willing to live together. Learned counsel
for the petitioner submits that he will keep O.P. No. 2 with full
dignity and honor and will show love and affection to her and their
children.

Considering the aforesaid stand of the petitioner, this
Court directs that if he surrenders before the Court below he shall be



released on provisional bail on such conditions which the learned Court below deems it fit in accordance with law. Simultaneously, his wife/complainant/ opposite party No. 2 shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses. In case, the settlement is arrived at, the Court below shall fix the modality of the return of the complainant/opposite party No. 2 to her matrimonial home.

The provisional bail of the petitioner shall be confirmed only on settlement of dispute between the parties or in the event of informant/opposite party no. 2 deliberately choose not to settle the dispute without any reason.

If the conduct of the petitioner is found to be genuine his provisional bail shall be confirmed by the Court below on such conditions as contained in Section 438(2) Cr.P.C., 1973.

The petitioner shall appear before the learned Court below on 23.11.2021.

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

(Purnendu Singh, J)

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