

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33022 of 2020

Arising Out of PS. Case No.-171 Year-2019 Thana- MAHILA P.S. District- Bhojpur

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Vishal Kumar @ Vishal Kumar Pandey, Son of Ramakant Pandey Resident of
Mohalla - M.P. Bagh, North Colony, P.S. - Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Sudha, Wife of Vishal Kumar D/o Mithilesh Kumar Rai, Resident of
village - Bagar, P.S. - Sikrahata, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-03-2021 Heard the learned counsel for the petitioner and

the State.

The petitioner, who is the husband of Opposite
Party No. 2, seeks bail in anticipation of his arrest in
connection with Bhojpur Mahila P. S. Case No. 171 of
2019, dated 06.11.2019, instituted for the offences
under Sections 313, 323, 498A of 34 of the Indian
Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act, 1961.

Regard being had to the submission made on
behalf of the petitioner that he is ready and willing to



settle the matrimonial dispute with Opposite Party No. 2 even if it be for one time settlement and amicable parting of ways, this Court is inclined to direct that if the petitioner surrenders before the court below within a period of eight weeks, he shall be released on provisional bail and simultaneously notice shall be issued to Opposite Party No. 2.

On the appearance of Opposite Party No. 2, the court below shall facilitate the talk with respect to amicable parting of ways of the spouses and one time financial settlement.

If any agreement is arrived at which would be to the satisfaction of the parties, the provisional bail of the petitioner shall be confirmed.

The aforesaid direction has been issued keeping in mind the fact that a divorce petition had been filed prior to the lodging of the present case and there is no possibility of restoration of the matrimonial life of the petitioner and his spouse.



If the approach of either of the spouses is found to be unreasonable, that shall be taken into account while passing an order regarding settlement of dispute.

The entire exercise be completed within a period of three months from the date of surrender of the petitioner before the court below.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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