

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32562 of 2020

Arising Out of PS. Case No.-77 Year-2020 Thana- BAHADURPUR District- Darbhanga

MUKESH KUMAR MISHRA S/o Shri Hemchandra Mishra Resident of
Village- Andharathari, P.O. Andhara, P.S.- Andharatharhi, District-
Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Sonali Kumari D/o Late Mod Narayan Choudhary Village- Darhar, P.S.-
Bahadurpur, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binodanand Mishra, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the Informant	:	Mr. Iqbal Asif Niazi, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-02-2021 Heard Mr. Binodanand Mishra, learned
counsel for the petitioner and Mr. Iqbal Ahmad Niyazi for
the informant. The State is represented by Mr. Md.
Aslam Ansari, 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 Bahadurpur P.S. Case No. 77
of 2020 dated 10.02.2020 instituted for the offences
under Sections 498(A), 341, 323, 325, 313, 504, 506
and 34 of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.

At the outset Mr. Mishra, learned counsel for
the petitioner has submitted that the petitioner is ready



for an amicable settlement with opposite party no. 2 provided she agrees for the same.

Mr. Niyazi, learned counsel for opposite party no. 2 is also not averse to the aforesaid proposal.

Considering the stand of the petitioner, this Court directs that in the event of the surrender of the petitioner within a period of four weeks from today, he shall be granted provisional bail and simultaneously notice shall be issued to the informant. On the appearance of the informant, the court will explore the possibilities of settlement and if the issues between the spouses are settled, the provisional bail of the petitioner shall be confirmed. The provisional bail of the petitioner shall also be confirmed in the event of the informant showing an unreasonable attitude during the deliberations. If the conduct of the petitioner is not good, that should also be taken into account before confirming the provisional bail of the petitioner.

The petition stands disposed of.

(Ashutosh Kumar, J)

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