

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33014 of 2020

Arising Out of PS. Case No.-2558 Year-2019 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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MD. ISMAILE @ MD. ISMAIL, S/o Md. Gaffar Resident of Village-Banauli,
P.S-Simri, District-Darbhangha (Bihar).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Raisa Khatoon @ Raisha Khatoon, W/o Md. Ismaile @ Md. Ismail, D/o Md. Iliyas Resident of Village-Rampur Mahinath, P.O.-Srikant, P.S-Piyar, District-Muzaffarpur (Bihar), Pin Code-843115.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind 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 Mr. Arvind Kumar, learned counsel for

the petitioner and Mr. Syed Mojibur Rahman, 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 Complaint Case No. 2558 of 2019,

dated 02.09.2019 (Trial No. 3262 of 2019), in which

cognizance has been taken under Sections 498 A, 323

and 504 of the Indian Penal Code.

At the outset, learned counsel for the petitioner



has submitted that notwithstanding the differences with his spouse, he is ready to enter into negotiations with her and is also desirous of restoring his matrimonial life with her, provided she agrees for the same.

In that view of the matter, this Court disposes of this bail petition with a direction that in case the petitioner surrenders before the court below within a period of eight weeks from today and expresses his willingness to bring back the complainant / Opposite Party No. 2 to her matrimonial home, he shall be released on provisional bail.

The Opposite Party No. 2 shall be noticed and on her appearance, the court below shall explore the possibility of settlement of the matrimonial dispute.

If the Opposite Party No. 2 is willing to go with the petitioner to join the matrimonial fold, the provisional bail of the petitioner shall be confirmed. If for no apparent / plausible reason, Opposite Party No. 2 refuses to join the matrimonial fold, that should also be



taken into account by the Court while passing an order
of confirmation of provisional bail.

With the aforesaid observation / direction, this
petition stands disposed off.

(Ashutosh Kumar, J)

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