

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35108 of 2020

Arising Out of PS. Case No.-102 Year-2019 Thana- MAINATAND District- West Champaran

Abdur Rahman, S/o Mohamadeen Miya @ Bhikhari Miyan R/o Village-Bhakurahiya, P.S.-Adapur, Distt-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afreena Khatoon, W/o Abdur Rahman, D/o Najamuddin Ansari, R/o Village-Bhakurahiya, P.S.-Adapur, Distt-East Champaran. At present R/o Village-Bastha, P.S.-Mainatand, Distt-West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-03-2021 Heard Mr. Bimlesh Kumar Pandey, learned counsel for the petitioner and Mr. Fazle Karim, learned counsel for the informant.

The State is represented by learned APP.

The petitioner, who is the husband of Opposite Party No. 2, seeks bail in anticipation of his arrest in connection with Mainatand P. S. Case No. 102 of 2019, dated 01.12.2019, instituted for the offences under Sections 323, 379, 504 and 498A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act,



1961.

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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