

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.35400 of 2020

Arising Out of PS. Case No.-263 Year-2019 Thana- DARBHANGA COMPLAINT CASE

District- Darbhanga

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Raghwendra Nath Jha, aged about 29 years, male, Son of Jitendra Nath Jha,
Resident of Village-Pohaddi, P.S.-Bahera, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pooja Devi, D/o Sushil Jha (Wife of Raghwendra Nath Jha), at present
resident of Village- Mahinam P.S.- Bahera District- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 25-03-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 263 of 2019,
whereby cognizance has been taken against him under
Section 498(A) of the Indian Penal Code.

At the outset, learned counsel for the petitioner
has submitted that he is not averse to the talks of settlement



with his wife/opposite party No. 2, provided she is agreeable for the same. He also wants a rapprochement and perhaps restitution of conjugal rights.

Considering the aforesaid stand of the petitioner, this Court directs that if he surrenders before the Court below within a period of eight weeks from today, he shall be released on provisional bail. While granting provisional bail to the petitioner, his wife (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 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 the opposite party No. 2 deliberately choosing not to settle the dispute without any appropriate cause.

If the conduct of the petitioner is found to be genuine, his provisional bail shall be confirmed by the Court



below.

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

(Ashutosh Kumar, J)

Praveen-II/-

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