

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35156 of 2020

Arising Out of PS. Case No.-83 Year-2017 Thana- ASHOK PAPER MILL District-
Darbhanga

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Syed Iftesad Raja @ Mona @ Syed Ekteshad Raza, aged about 37 years, S/o
Syed Raja @ Mokarram, Resident of Village- Chandanpatti, P.S.- A.P.M.,
District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bade Saba, D/o Syed Sabbir Hussain, Resident of Village- Chandanpatti,
P.S.- Pataur O.P. (A.P.M.), District- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Md. Shahnawaz Ali, Sr. Adv.
For the O.P. No. 2	:	Mr. Ram Narayan Mahto, Adv.
For the State	:	Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-03-2021 Heard Md. Shahnawaz Ali, learned Senior Advocate

for the petitioner and Mr. Ram Narayan Mahto, learned

counsel for the opposite party No. 2. The State is

represented by the learned APP.

The petitioner, who is the husband of the opposite

party No. 2, seeks bail in anticipation of his arrest in



connection with Ashok Paper Mill P.S. Case No. 83 of 2017, dated 02.07.2017, instituted for the offences under Sections 341, 323, 498(A), 504 and 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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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