

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35991 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- MAHILA P.S District- West Champaran

=====

Allauddin Mian, son of Mokhtar Mian resident of village- Pakuhawa Pashchim, P.s.- Mainatand, District- West Champaran. At present, resident of village- Jagarnathpur, P.s.- Sherwa, District- Parsa (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 28-06-2021 Heard Mr. Abhishek Kumar, learned counsel for

the petitioner and the learned APP for the State.

Vide order dated 26.03.2021, notice was issued to Opposite Party No. 2. On another occasion, the case was adjourned because of non-appearance of Opposite Party No. 2.

The petitioner, who is the husband of Opposite Party No. 2, seeks bail in anticipation of his arrest in connection with Bettiah Mahila P. S. Case No. 03 of 2020, dated 13.01.2020, instituted for the offences under Sections 498A, 323 and 341 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)

skm/-

U		T	
---	--	---	--

