

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35984 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

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1. BRAJESH SINGH @ BRAJESH YADAV Son of Late Kashi Nath Singh
Resident of Village- Kritpura, P.S.- Buxar (Muffassil), District- Buxar.

... .. Petitioner

Versus

1. The State of Bihar
2. Poonam Devi Wife of Brajesh Singh @ Brajesh Yadav Resident of
Village- Kritpura, Balua Pokharaha, P.S.- Buxar (Muffassil), District-
Buxar.

... .. Opposite Parties

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-03-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Buxar Muffasil P.S. Case No. 44 of

2020 instituted for the offences under Sections 498(A), 341,

323, 504, 506 and 34 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 of.

(Ashutosh Kumar, J)

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