

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.763 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- MAHILA P.S. District- Kaimur (Bhabua)

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Jamuna Prasad, Son of Harihar Prasad, Resident of Village - Bahuwan, P.S. -
Bhabua, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kaushlya Devi, W/o Jamuna Prasad, D/o Lalbahadur Bind, Resident of Village - Bahuwan, P.S. -Bhabua, District - Kaimur at Bhabua. At present reside at Village - Rupin, P.S. - Chainpur, Dist. Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Adv.
For the O.P. No. 2	:	Ms. Kiran Kumari Sharma, Adv.
For the State	:	Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 24-06-2021 Heard Mr. Tribhuwan Narayan, the learned

Advocate for the petitioner and Ms. Kiran Kumari Sharma,

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

is represented by Mr. Dilip Kumar No. 1, the learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Bhabua Mahila P.S. Case No. 14 of



2020, instituted for the offences under Sections 341, 323, 379, 498(A), 504 and 506/34 of the Indian Penal Code.

At the outset, the learned Advocate 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 six 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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