

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3906 of 2021

Arising Out of PS. Case No.-759 Year-2016 Thana- COMPLAINT CASE District- Supaul

1. RAJ KUMAR MUKHIYA Son of Late Kusumlal Mukhiya Resident of Village-Jiwachhpur, Police Station-Bhimpur and District-Supaul.
2. DASHAY @ DASHWA MUKHIYA S/o Late Kusumlal Mukhiya Resident of Village-Jiwachhpur, Police Station-Bhimpur and District-Supaul.
3. KISHANI DEVI W/o Shri Prasad Mukhiya Resident of Village-Jiwachhpur, Police Station-Bhimpur and District-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. SITA DEVI D/o Babuji Mukhiya R/o Village-Ghaghaha Chhitauni, P.S- Ratanpura, District-Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Verma, Advocate
For the Opposite Party/s	:	Mr. APP
For the Complainant	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 25-10-2021 Heard Mr. Sanjeev Verma, learned Advocate for the petitioner and Mr. Shailendra Kumar Singh for the informant.

The petitioner no. 1, who is the husband of the complainant, seeks bail in anticipation of his arrest in connection with Complaint Case No. 759 of 2016 dated 07.09.2016 in which cognizance has been taken under Sections 342, 323, 316, 498-A, 504, 506 and 34 of the Indian Penal Code.

The petitioner no. 1 is ready to settle the matrimonial dispute and keep the complainant/opposite



party no. 2 with due dignity and honour, provided she is agreeable for the same.

Considering this aspect of the matter, this Court directs that in the event of the surrender of the petitioner no. 1 within a period of eight weeks from today, he shall be granted provisional bail and simultaneously notice shall be issued to the informant. On the appearance of the informant, the court will explore the possibilities of settlement and if the issues between the spouses are settled, the provisional bail of the petitioner shall be confirmed. The provisional bail of the petitioner shall also be confirmed in the event of the informant showing an unreasonable attitude during the deliberations. If the conduct of the petitioner is not good, that should also be taken into account before confirming the provisional bail of the petitioner.

The petition stands disposed of.

(Ashutosh Kumar, J)

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