

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39214 of 2020

Arising Out of PS. Case No.-1214 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

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ZAHID ALAM @ ALAM SON OF AZIMUDDIN R/O VILLAGE-
PATHRABARI THANA JOKIHAT DISTRICT ARARAIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. NOOR SAMA D/O MD. WASIK AT PRESENT RESIDING OF VILLAGE-
DUMARIA (MALOPARA) P.S.- ROUTA, DISTRICT- PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-06-2021 Heard Mr. Ram Prawesh Kumar, learned

counsel for the petitioner and Mr. Ram Priya Sharan

Singh, learned APP for the State.

The petitioner, who is the husband of O.P.

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

connection with Complaint Case No. C 1214/2019

instituted for the offences under Section 498 (A)/ 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 all 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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