

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5803 of 2021

Arising Out of PS. Case No.-366 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SAH MOHAMMAD ANSARI, Son of Yunus Ansari Resident of Village-
Gahai Bishambharpur, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajda Praveen, W/o Sah Mohammad Ansari, D/o Mohammad Najamuddin Ansari At present resident of Village- Rampur, Bheriyahi, P.S.- Chiraya, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar- Advocate
For the Opposite Party/s	:	Mr. Abhishek Kumar- Advocate
For the State	:	Chandra Sen Prasad Singh- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-09-2021 Heard Mr. Dhurendra Kumar, the learned Advocate for the petitioner, Mr. Abhishek Kumar, the learned Advocate for the opposite party no.2 and Mr. Chandra Sen Prasad Singh, the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Trial No.344 of 2020 arising out of Complaint Case No. C-366 of 2019, instituted for the offences under Section 498(A) 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/ complainant, 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 (Complainant) 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 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 wife/ complainant 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)

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