

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39674 of 2020

Arising Out of PS. Case No.-24 Year-2017 Thana- DEODHA District- Madhubani

Raushan Kumar Sah, Son of Sri Ganesh Sah, Resident of Village - Navtol Chowk, P.S. - Ghanshayampur, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi, Wife of Raushan Kumar Sah, Resident of Village - Navtol Chowk, P.S. - Ghanshayampur, District - Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Manoj Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-06-2021 Heard Mr. Jitendra Kumar Bharti, the learned counsel for the petitioner and Mr. Manoj Kumar No. 1, the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Deodha P.S. Case No. 24 of 2017, dated 03.05.2017, instituted for the offences under Sections 323, 341, 354, 379, 498(A), 313 and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of opposite party No. 2 and is ready for settlement of matrimonial dispute, provided she is agreeable for the same.



It has been submitted on behalf of the petitioner that earlier also a complaint was lodged by the opposite party No. 2 in which there was a settlement and a consequent compromise petition. However, such compromise petition was never pressed and cognizance was taken against the petitioner in that case also.

Despite the aforesaid fact, the petitioner is even today ready for negotiations with his wife/opposite party No. 2 for settlement of matrimonial dispute and return of opposite party No. 2 to her matrimonial home and if the aforesaid proposal of the petitioner is not acceptable to opposite party No. 2, he is also not averse to entering into negotiations for a one time settlement.

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, viz., Puja Devi shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between



the spouses by facilitating bilateral negotiations. The Court would be expected to act as a mediator and in case it is found that there is every likelihood of the dispute being settled *or* in the event of the dispute being settled, the provisional anticipatory bail of the petitioner shall be confirmed.

If for some reason, which would not be attributable to the stand of the petitioner, the talks of settlement fails and it is found that it is because of the intransigence of the opposite party No. 2, that fact also shall be taken into account while passing an order confirming the provisional anticipatory bail of the petitioner.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

