

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40137 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- ABADPUR District- Katihar

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REJAUL HAQUE @ REJAUL HAK, S/o Late Abdul Latif @ Abdul Latib
Resident of Village- Dilalpur, Bhawanipur, P.S.- Abadpur, Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. FIRDOSI KHATOON, D/o Nazimuddin Resident of Village- Dilalpur, Bhawanipur, P.S.-Abadpur, Distt- Katihar. At present resident of village- Nisharpatti, P.S.- Abadpur, Dist- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Qumrul Hoda
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-06-2021 Heard Mr. Md. Qumrul Hoda, learned counsel

for the petitioner and Mr. Thakur Brajesh Singh, learned

counsel for the informant. The State is represented by

the learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Abadpur P. S. Case No. 168 of

2019, instituted for the offence under Section 498 (A) of

the Indian Penal Code and Sections 3 and 4 of the

Dowry Prohibition Act, 1961.

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.

Notwithstanding the differences with his spouse, 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 shall also not be 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., Firdosi Khatoon 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 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, this petition stands disposed off.

(Ashutosh Kumar, J)

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