

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.350 of 2021

Arising Out of PS. Case No.-588 Year-2018 Thana- COMPLAINT CASE District-
Kishanganj

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BABLU KUMAR HARIJAN @ BABLU MANJHI Son of Dinesh Lal
Harijan @ Dinesh Manjhi VILLAGE- Kasjibari, P.S. Jokihat, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sima Devi, wife of Bablu Kumar Harijan @ Bablu Manjhi, Daughter of Indar Lal presently residing at village- Kathamatha, P.S.- Kochadhaman, District- Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj- Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-06-2021 Heard Mr. Ravi Shanker Pankaj, the learned

Advocate for the petitioner and Mr. Pradeep Narain Kumar, the

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No.588-C of 2018,
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/ 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 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 opposite 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 off.

(Ashutosh Kumar, J)

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