

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3885 of 2021

Arising Out of PS. Case No.-1719 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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KUMAR SAHEB, S/o Naresh Rai Resident of Village- Gosaipur Tengraha
Tole Mallah Toli, P.S.- Minapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ruma Devi, Daughter of Shivjee Rai , W/o Kumar Saheb Resident of
Village- Gosaipur Tengraha Tole Mallah Toli, P.S.- Minapur, Distt-
Muzaffarpur at present Village- Rampur Ajarkave, P.S.- Araui, Distt-
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 30-07-2021 Heard Mr. Manoj Kumar, learned counsel for

the petitioner and Mr. Akhileshwar Dayal, learned APP

for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Complaint Case No. 1719 of

2017, in which cognizance has been taken under Section

498(A) of the Indian Penal Code and Section 4 of the

Dowry Prohibition Act, 1961.

The petitioner is the husband of the

complainant / 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 his wife to her matrimonial home and if the aforesaid proposal of the petitioner is not acceptable to her, 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., Ruma 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 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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