

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41123 of 2020

Arising Out of PS. Case No.-64 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

1. Vikram Vikash, Son Of Vijay Kumar Singh, resident Of Village- Tardin, P. S. - Amarpur, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahima Bharti, W/O Vikram Vikash , D/O Pradeep Kumar Singh, Resident Of Village- Barari Burning Ghat , Road, P. S. - Barari, District - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar- Advocate
For the Informant	:	Mr. Ranjan Kumar Jha- Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-07-2021 Heard Mr. Arun Kumar, the learned Advocate for the petitioner, Mr. Ranjan Kumar Jha, the learned Advocate for the informant and Mr. Surendra Prasad Singh, the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bhagalpur Mahila P. S. Case No.64 of 2018, instituted for the offences under Section 498(A), 354A and 34 of the Indian Penal Code and Section 3/4 of the D. P. Act.

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 no.2/ wife 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 party no. 2/ wife 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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