

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3999 of 2021

Arising Out of PS. Case No.-4 Year-2020 Thana- MAHILA P.S. District- Bhagalpur

MD. SADAB ALAM @ MD. SADAB AZAM @ DAIMAND, SON OF
LATE MD. SAHDAB AZAM @ LATE MD. SAHJAHAN R/O MOHALLA
BAREHPURA, POLICE STATION- ISHACHAK, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-08-2021 Heard Dr. Manoj Kumar, learned counsel for

the petitioner and Mr. Najmul Hoda, learned counsel for

the informant. The State is represented by Mr. Brajendra

Nath Pandey, the learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Bhagalpur Mahila P. S. Case

No. 04 of 2020, dated 01.02.2020, instituted for the

offences under Sections 323, 341, 498 (A), 504, 506

and 34 of the Indian Penal Code.

The petitioner is the husband of the informant

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 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, viz., Shehar Ara @ Pinki 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 informant, 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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