

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2722 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- KATIHAR District- Katihar

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Md. Sahadat @ Md. Sahadat Hussain, Son of Md. Kafakh Master, R/o
Village- Sarifganj, P.S.- Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 23-07-2021 Heard Mr. Priya Ranjan, the learned counsel for the

petitioner and Mr. Nand Kishore Prasad, the learned APP for

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Town (Sahayak) P.S. Case No. 31
of 2020, dated 10.01.2020, instituted for the offences under
Sections 341, 323, 324, 354(A), 498(A), 504 and 506/34
of the Indian Penal Code and Section 3/4 of the Dowry



Prohibition Act.

The petitioner is the husband of the sister of the informant.

At the outset, the learned counsel for the petitioner has submitted that he is not averse to the talks of settlement with his wife/sister of the informant, 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 (the sister of the informant) 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 the wife of the petitioner 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 wife of the petitioner (sister of the informant) 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)

Praveen-II/-

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