

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45456 of 2019

Arising Out of PS. Case No.-112 Year-2018 Thana- COMPLAINT CASE District-
Kishanganj

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MD. RAUKISH @ RAUKIL ALAM Son of Habibur Rahman Resident of
Sakin - Chahatpur, P.S.- Garbhandanga, District- Kishanganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Arsadi Begum Wife of Md. Raukish @ Raukil Alam Resident of Sakin
Chahatpur, P.S.- Garbhandanga, District- Kishanganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
		Mr. Vijay Kumar, Advocate
For the Opposite Party/s :		Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 04-10-2021 Heard Mr. Raj Kumar, learned Advocate for the
petitioner and Ms. Rita Verma, learned APP for the
State.

This Court had directed for issuance of notice to
opposite party no. 2 on 23.07.2019. The petitioner had
again been asked to furnish requisites for issuance of
fresh notice. In the second instance, the opposite party
no. 2 has refused to accept the notice. This statement
has also been made by the petitioner in the
supplementary affidavit which is on record.

The petitioner, who is the husband of opposite
party no. 2, seeks bail in anticipation of his arrest in
connection with Complaint Case No.-C112 of 2018 in



which cognizance has been taken under Section 498(A) of the Indian Penal Code.

Without going into the merits of this case, learned counsel for the petitioner has submitted that in any view of the matter, the petitioner is ready to enter into negotiations with his wife/opposite party no. 2 for an amicable settlement of matrimonial dispute. He is even ready for resumption of matrimonial life and if that is not agreeable to opposite party no. 2, the petitioner is prepared for any other viable amicable settlement, be it for one time settlement for all matrimonial dues or otherwise.

Considering the afore-noted stand of the petitioner, it is directed that in the event of the petitioner surrendering before the court below within a period of eight weeks, he shall be released on provisional bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties. Simultaneously, the opposite party no. 2 also shall be noticed. On the appearance of the opposite party no. 2, the court below shall provide ample opportunities to the spouses/parties to negotiate and settle the differences in an amicable manner. If the dispute is settled, the provisional bail granted to the petitioner shall be confirmed. If the court is of the view that the settlement



is not taking place because of unreasonable stand of either of the parties, that shall also be taken into account before passing a final order of confirming the provisional bail of the petitioner.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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