

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4929 of 2021

Arising Out of PS. Case No.-65 Year-2019 Thana- MAHILA P.S. District- Rohtas

BIKESH KUMAR Son of Shikandar Prasad Resident of Village- Bisenikala,
P.S.- Rajpur, Distt- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh- Advocate

For the Opposite Party/s : Mr. Kalyan Shankar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-08-2021 Heard Mr. Anil Kumar Singh, the learned Advocate
for the petitioner Mr. Kalyan Shankar, the learned APP for the
State.

The petitioner is the husband of opposite party no.2
who seeks bail in anticipation of his arrest in connection with
Mahila P. S. Case No.65 of 2019, instituted for the offences
under Section 498(A), 341, 323, 504, 506/ 34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

It has been alleged in the F.I.R. that the informant
was ill-treated and a demand of cash and household items were
made.

The learned Advocate for the petitioner has
submitted that because of matrimonial dispute, the petitioner
had filed a divorce case before the competent Court.

It has further been submitted that even then, the
petitioner is ready to settle the dispute with opposite party no.2



by way of an one time settlement. He is also not averse to the idea of resumption of matrimonial relationship, in case the relationship between the spouses improves.

Considering the aforesaid stand of the petitioner, this Court directs that if the petitioner 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.

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 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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