

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60396 of 2019

Arising Out of PS. Case No.-323 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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UMESH KUMAR Son of Sri Gauri Shankar Paswan Resident of Village -
Jamunapur Katesar, P.S.- Bihta, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Tunni Kumari W/o Umesh Kumar Resident of Village - Jamunapur
Kateshar, P.S.- Bihta, Dist.- Patna. at present village - Neema , Post.- Jat
Dumari, P.S.- Punpun, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Vageshwar Kumar, Advocate
For the Opposite Party/s :	Mr. Suresh Prasad Singh, APP
	Mr. Ram Naresh Ray, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 04-10-2021 Heard Mr. Vageshwar Kumar, learned Advocate
for the petitioner and Mr. Ram Naresh Ray for the
informant/opposite party no. 2. The State is represented
by Mr. Suresh Prasad Singh, learned APP for the State.

The petitioner, who is the husband of opposite
party no. 2, seeks bail in anticipation of his arrest in
connection with Complaint Case No. 323(C) of 2018 in
which cognizance has been taken under Sections 323,
498A, 504 and 506 of the Indian Penal Code.

This Court had, *vide* order dated 04.03.2020,
directed for issuance of notice to the opposite party no.
2 and also granted interim relief to the petitioner in the
meanwhile.



The stand of the petitioner continues to be the same that he is ready and willing to enter into negotiations with opposite party no. 2 for settling the matrimonial dispute.

However, the learned counsel for the informant submits that the resumption of matrimonial life may not be possible as according to her information, the petitioner has married again during the subsistence of the present marriage. But she is ready for negotiations for an alternative settlement.

Considering the afore-noted aspect of this case, this Court deems it appropriate to send the matter to the court below.

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 at all the court finds that the conduct/stand of the parties is obstructive and



unreasonable, that shall be taken into account in passing
a final order of confirmation of provisional bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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