

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59117 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- MAHILA PS District- Aurangabad

MD. SHAKEEL AHMAD @ MD. SHAKIL Son of Dr. Amanullah Resident
of Village - Sher Mohammad, P.O. - Malhara, P.S.- Deo, Distt - Aurangabad.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Shamimoon Nisha D/o Md. Syed Ansari Resident of Mohalla - Tekari Road,
P.S.- Aurangabad Town, Distt - Auranganbad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Advocate
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP
For the O.P. No. 2	:	Mr. Shailesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 29-09-2021 Heard Mr. Anirudh Kumar Verma, learned Advocate for the petitioner and Mr. Shailesh Kumar Singh for the informant/opposite party no. 2. The State is represented by Mr. Kalyan Shankar, 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 Aurangabad Mahila P.S. Case No. 30 of 2019 dated 14.07.2019 instituted for the offences under Sections 379, 312 and 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

It appears from the earlier order of this Court that an attempt was made at reconciliation in the



Chambers of the Hon'ble Court. However, before the same could fructify, the Hon'ble Judge retired. The matter has come up again for consideration.

The stand of the parties is the same as it was before the predecessor Bench. The parties are ready for negotiation for either resumption of matrimonial life or for a one time settlement. Much headway, as informed by the learned counsel for the parties, has been made in the matter.

Considering the afore-noted aspect of this case, this Court deems it appropriate to and remits 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). 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 for passing a final order of



confirmation of provisional bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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