

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65459 of 2019

Arising Out of PS. Case No.-2918 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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RAJEEV KUMAR @ RAJEEV KUMAR JAISWAL Son of Ram Pravesh
Choudhary Resident of Village - Dighikala West, P.S.- Hazipur Sadar, Distt.-
Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Punam Kumari D/o Maheshwar Bhagat Resident of Village - Dighikala East,
P.S.- Hazipur Sadar, Distt.- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 15-12-2021 Heard Mr. Abhay Kumar, learned Advocate for

the petitioner and Mr. Pawan Kumar Chaurasia, 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 Trial No. 2397 of 2019, arising out of
Complaint Case No. 2918 of 2018 in which cognizance
has been taken under Section 498(A) of the Indian
Penal Code.

This matter was earlier sent to the mediation



centre of Patna High Court but the mediation appears to have failed.

The learned counsel for the petitioner has submitted that he had offered a one time settlement of all matrimonial dues but the opposite party no. 2 is not agreeable for the same.

Today, the learned counsel for the opposite party no. 2 submits that if the petitioner makes provision for one time settlement of all matrimonial dues, she would have no objection to the grant of anticipatory bail.

Giving due regard to the stand of the parties, this Court deems it appropriate to direct if the petitioner surrenders before the court below within a period of six 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 for passing a final order of confirmation of provisional bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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