

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64432 of 2019

Arising Out of PS. Case No.-960 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

MUKESH PASWAN, S/o Rameshwar Paswan R/o village- Bariyarpur, P.S.-
Motipur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nisha Kumari, W/o Mukesh Paswan, D/o Rajendra Prasad R/o village-
Bariyarpur, P.S.- Motipur, Distt.- Muzaffarpur, At present R/o village-
Jagdishpur Kushahi, P.S.- Motipur, District- Muzaffarpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pandey, Advocate Mr. Aditya Dev, Advocate
For the Opposite Party/s :		Mr. Pradeep Narain Kumar Mr. Krishna Ranjan, Advocate Mr. Rakesh Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

11 22-10-2021 Heard Mr. Sunil Kumar Pandey, learned

advocate for the petitioner and Mr. Basant Vikash,

learned counsel for Opposite Party No. 2. The State is

represented by learned APP.

The petitioner, who is the husband of Opposite

Party No. 2, seeks bail in anticipation of his arrest in

connection with Trial No. 3384 of 2019, arising out of

Complaint Case No. 960 of 2017, instituted for the

offences under Sections 498(A), 323, 379 and 307 of



the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

The learned advocate for the petitioner has submitted that contrary to the allegations in the F.I.R., it is the Opposite Party No. 2 who has been troubling the petitioner. Despite this, the petitioner is ready to give a try for reconciliation and settling all matrimonial disputes.

The Opposite Party No. 2 is always ready for negotiations for the settlement of the disputes.

Considering the aforesaid stand of the parties, this Court directs that if he 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, viz., Nisha Kumari shall be noticed and on her appearance, the court below shall explore the possibilities of settlement between the spouses by facilitating bilateral negotiations. The Court would be



expected to act as a mediator and in case it is found that there is every likelihood of the dispute being settled or in the event of the dispute being settled, the provisional anticipatory bail of the petitioner shall be confirmed.

If for some reason, which would not be attributable to the stand of the petitioner, the talks of settlement fails and it is found that it is because of the intransigence of Opposite Party No. 2, that fact also shall be taken into account while passing an order confirming the provisional anticipatory bail of the petitioner.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

