

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75290 of 2019

Arising Out of PS. Case No.-886 Year-2017 Thana- FORBESGANJ District- Araria

VIKASH MEHTA Son of Jashraj Mehta Resident of Village - Kurwa
Laxmipur, Ward No. 14, P.S.- Simraha, Distt - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Karishma Devi Wife of Vikesh Mehta, D/o Bhimshankar Mehta Resident of
Village - Kurwa Laxmipur, Ward No. 14, P.S.- Simraha, Distt - Araria, At
present resident of Village - Dumariya, P.S.- Narpatganj, Distt - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 26-10-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Forbesganj (Simraha) P.S. Case

No. 886 of 2017 (G.R. No. 3715 of 2017) instituted for the

offences under Sections 498(A) and 328/34 of the Indian

Penal Code.

At the outset, the learned counsel for the

petitioner has submitted that he is not averse to the talks of

settlement with his wife/opposite party No. 2, provided she

is agreeable for the same. He also wants a rapprochement



and perhaps restitution of conjugal rights.

Earlier, by order dated 04.02.2020, the matter was referred to the Patna High Court Mediation and Conciliation Center for an amicable settlement of dispute between the parties but as ill luck would have it, the mediation could not be done.

Considering the aforesaid stand of the petitioner, 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) shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses. In case, the settlement is arrived at, the Court below shall fix the modality of the return of opposite party No. 2 to her matrimonial home.

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 of.

(Ashutosh Kumar, J)

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