

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75603 of 2019

Arising Out of PS. Case No.-839 Year-2017 Thana- MUNGER COMPLAINT CASE
District- Munger

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Tausir Sarik @ Pinku Son of Iftekhar Ahmad Resident of Village-English
Chichkun (English Chichroun), P.S.-Akbaragar, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mursida Parveen Wife of Tausir Sarik @ Pintu, Daughter of Md. Ramjan
Resident of village-Khanpur, P.O.-Gajipur, P.S.-Tarapur, District-Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar Choudhary, Advocate
For the Opposite Party/s	:	Mr. Prashant Sinha, Advocate
For the State	:	Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 01-11-2021 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.

The petitioner seeks anticipatory bail in connection
with Complaint Case No. 839(C) of 2017 in which cognizance
has been under Sections 498A and 34 of the Indian Penal Code.

Learned counsel for the petitioner at the outset
submits that he is not averse to the talks of settlement with his
wife provided she is agreeable for the same, the learned counsel
for the petitioner also wants a reproachment and restitution of
conjugal rights.

Learned counsel for the complainant agrees with the
submission of the learned counsel for the petitioner.



Considering the aforesaid stand of the petitioner, this Court directs that if the petitioner surrenders before the court below within a period of eight weeks from today he shall be released on provisional bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount. At the same time, the court below shall simultaneously issue issue notice upon the Opposite Party No. 2 i.e. the wife 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 i.e. the wife deliberately chosing not to settle the dispute without any appropriate cause or reason. if the conduct of the petitioner is found to be genuine, his provisional bail shall be confirmed by the learned court below.

This application stands disposed of accordingly.

(Satyavrat Verma, J)

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