

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76814 of 2019

Arising Out of PS. Case No.-324 Year-2019 Thana- BIKRAMGANJ District- Rohtas

ASHOK KUMAR Son of Kashinath Singh Resident of Village - Durgadih,
P.S.- Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Meena Kumari Wife of Ashok Kumar, D/O - Rajendra Singh Resident of Village - Bagsanda, P.S.- Tarari, District- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Rajesh Kumar, APP
For the O.P. No. 2	:	Mr. Maya Shankar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-09-2021 Heard Mr. Krishna Prasad Singh, learned Senior Advocate for the petitioner and Mr. Maya Shankar Mishra for the opposite party no. 2/informant. The State is represented by Mr. Rajesh Kumar, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bikramganj P.S. Case No. 324 of 2019 dated 30.06.2019 instituted for the offences under Sections 498(A), 307, 341, 323 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

This matter was referred to the mediation centre for resolving the dispute between the spouses but



according to the report of the mediator, the efforts at mediation has come a cropper.

Though it has been urged on behalf of the petitioner that the accusation is false but the learned counsel for opposite party no. 2 has submitted that the petitioner has been in the habit of assaulting the opposite party no. 2.

He further submits that now there does not appear to be any possibility of resumption of conjugal life of the spouses. However, opposite party no. 2 is still ready for a one time settlement otherwise it will be difficult for her to fend for herself. Learned counsel for the petitioner also is agreeable for negotiations for a one time settlement.

Considering the afore-noted stand of the parties, this Court deems it appropriate to direct that in the event of the arrest or surrender of the petitioner within a period of six weeks, he shall be granted provisional bail and simultaneously notice shall be issued to opposite party no. 2. On appearance of opposite party no. 2, the court will explore the possibilities of a one-time settlement between the spouses and ending of all matrimonial disputes thereafter. If the dispute is amicably settled, the provisional bail granted to the petitioner shall be confirmed. However, if the court finds



that the stand of either of the parties is unreasonable, such fact shall be taken into account before taking a decision regarding confirmation of the provisional bail of the petitioner.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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