

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80298 of 2019

Arising Out of PS. Case No.-285 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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PRAMOD BHAGAT, Son of Hiranman Bhagat Resident of Village -
Mathbanvari, P.S.- Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mandakini Devi @ Mandakini Kumari, D/O - Jai Narayan Bhagat Resident
of Village - Naihari, P.S.- Kesariya, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma- Advocate
For the State	:	Mr. Md. Fahimuddin- A.P.P.
For the O.P. No.2	:	Mr. Binay Kumar- Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 17-09-2021 Heard Mr. Umesh Chandra Verma, the learned

Advocate for the petitioner, Mr. Binay Kumar, the learned

Advocate for the opposite party no.2 and Mr. Md. Fahimuddin,

the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Trial No.2421 of 2019 arising out of
Complaint Case No.C-285 of 2019, instituted for the offences
under Sections 498(A) of the Indian Penal Code and Section 3/4
of the D.P. Act.

According to his instruction, there has been a
settlement between the spouses and therefore the petitioner be
granted anticipatory bail.



The learned Advocate for the opposite party no.2 has submitted that despite his best efforts, he has not been able to establish contact with his client and therefore he is not in a position to comment on the aforesaid statement of the counsel for the petitioner.

The learned Advocate for petitioner however has submitted that he is even today ready for fresh negotiations for settlement of matrimonial disputes provided opposite party no.2 is agreeable for the same.

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 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 wife/ opposite party 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 off.

(Ashutosh Kumar, J)

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