

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80437 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- CHOUTARWA District- West
Champanan

=====

Shami Akhtar @ Shammi Akhtar @ Tunna, aged about 30 years, male, Son of
Late Jamil Ahmad, Resident of Village - Majharia, P.S. - Purushottampur,
Distt. - West Champanan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asgari Begum, aged about 28 years, female, Wife of Shami Akhtar @
Shammi Akhtar @ Tunna, D/o Sk. Allauddin, Resident of Village - Kolhua,
P.S. - Chautarwa, Distt. - West Champanan.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 17-12-2021 Heard Sanjeev Kumar, the learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned APP for

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Chautarwa (Bagaha) P.S. Case No.
133 of 2019, dated 10.12.2019, instituted for the offences



under Sections 323, 341, 498(A) and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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.

Considering the aforesaid stand of the petitioner, this Court directs that if he surrenders before the Court below within a period of four weeks from today, he shall be released on provisional bail. Simultaneously, 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 off.

(Ashutosh Kumar, J)

Praveen-II/-

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

