

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81530 of 2019

Arising Out of PS. Case No.-2831 Year-2018 Thana- COMPLAINT CASE District- Araria

Md. Musa Son of Late Sarfuddin Resident of Village-Kharhat Purab Tola,
P.S.-Araria (Bairgachhi O.P.), District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bibi Shahin Khatoon Wife of Md. Musa, Daughter of Md. Rais Resident of Village-Madanpur, Tola-Chandbhag, P.S-Araria (Madanpur O.P.), District-Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anil Prasad Singh, Adv.
For the Opposite Party/s	:	Mr.Anita Kumari, APP
For O.P. No. 2	:	Mr.Nafisuzzoha, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 23-08-2021 Heard Mr. Anil Prasad Singh, learned Advocate

for the petitioner and Mr. Nafisuzzoha, learned Advocate for

the opposite party no. 2. The State is represented by Ms.

Anita Kumari, learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Complaint Case No. 2831C/2018 in

which cognizance has been taken under Sections 498(A) of

the Indian Penal Code and Section 4 of the Dowry

Prohibition Act.

At the outset, 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 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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