

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87409 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

VIKASH MANDAL @ BHIKHARI, S/o Late Lal Mandal R/o village-
Bharathua, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sunita Devi, W/o Vikash Mandal @ Bhikhari R/o Mohalla- Kalibari Road,
Sundar Bag, Lane No. 1, Ward No. 41, P.S.- Mithanpura, District-
Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan
For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 30-09-2021 Heard the learned counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Trial No. 2320 of 2019, arising out of Complaint Case No. 50 of 2019, in which cognizance has been taken for the offence punishable under Section 498(A) of the Indian Penal Code.

The petitioner is the husband of Opposite Party No. 2 and is ready for settlement of matrimonial dispute, provided she is agreeable for the same.

Notwithstanding the differences with his spouse,



the petitioner is even today ready for negotiations with his wife / Opposite Party No. 2 for settlement of matrimonial dispute and return of his wife to her matrimonial home and if the aforesaid proposal of the petitioner is not acceptable to her, he shall also not be averse to entering into negotiations for a one time settlement.

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, viz., Sunita Devi shall be noticed and on her appearance, the court below shall explore the possibilities of settlement between the spouses by facilitating bilateral negotiations. The Court would be expected to act as a mediator and in case it is found that there is every likelihood of the dispute being settled or in the event of the dispute being settled, the provisional



anticipatory bail of the petitioner shall be confirmed.

If for some reason, which would not be attributable to the stand of the petitioner, the talks of settlement fails and it is found that it is because of the intransigence of Opposite Party No. 2, that fact also shall be taken into account while passing an order confirming the provisional anticipatory bail of the petitioner.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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