

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86727 of 2019

Arising Out of PS. Case No.-13445 Year-2014 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

MANORANJAN SINGH Son of Balmik Singh Resident of Village- Barahiya,
Ward No. 08, P.S.- Barahiya, District- Lakhisarai.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Seema Kumari Wife of Manoranjan Singh and Daughter of Jawahar Singh Resident of Village- Madhurapur, Bichla Tola, P.S.- Teghra, District- Begusarai.

... .. Opposite Parties

=====

Appearance :

For the Petitioner/s	:	Mr.Om Prakash Maharaj, Adv.
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For O.P. No. 2	:	Ms. Sudha Ambastha, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

8 19-02-2021 Heard Mr. Om Prakash Maharaj, learned counsel

for the petitioner and Ms. Sudha Ambashta, learned counsel

for opposite party no. 2. The State is represented by Mr.

Ram Priya Sharan Singh, learned APP for the State.

The petitioner, who is husband of opposite party

no. 2, seeks bail in anticipation of his arrest in connection

with Complaint Case No. 13445 of 2014 instituted for the

offences under Sections 379, 498A,, 427, 506 and 120B of

the Indian Penal Code.



Without adverting to the merits of the case, learned counsel for the petitioner has stated that he is ready and desirous of entering into negotiations with opposite party no. 2 for any amicable settlement.

Though, Ms. Ambastha, learned counsel for the opposite party no. 2 does not appear to be averse to the idea of talks for settlement but in the absence of any categorical instructions to her, she has referred to various paragraphs of counter affidavit, in which, it has been stated that the petitioner misbehaved with opposite party no. 2 and on an earlier occasion, the effort at reconciliation failed because of the rigid stand of the petitioner.

Learned counsel for the petitioner rebuts the aforesaid statement of facts and submits that opposite party no. 2 is an employee of the Civil Court and taking advantage of her employment with a court of law, she has been lodging cases against the petitioner. Had it not been the case, the opposite party no. 2 would surely have agreed for negotiations for the purposes of coming to an amicable settlement.



Learned counsel for opposite party no. 2 has stated that the statement made in paragraph -3 of the petition that the petitioner has been enlarged on bail in Complaint Case No. 2165(C) of 2010 is only partially correct as the bail bonds of the petitioner in that case has now been cancelled.

Against the aforesaid order of cancellation of bail bonds, the petitioner has approached the revisional court which is pending adjudication.

Be that as it may, the stand of the parties clearly depicts that the differences between the spouses have become so gross that there does not appear to be any headway towards any amicable settlement. Notwithstanding this, this Court is of the view that if the spouses think reasonably and submit to the process of the mediation, some settlement could be arrived at which would be beneficial for both the spouses.

Considering this aspect of the matter, this Court disposes of this anticipatory bail petition with a direction that in case the petitioner surrenders before the Court below within a period of four weeks, he shall first be released on



provisional bail and simultaneously, the opposite party no. 2 shall be noticed. On the appearance of opposite party no. 2 (wife of the petitioner), the court below will explore the possibilities of settlement.

If it is found that an unnecessary objection is being put up by anyone of the parties to the dispute or that anyone of the spouses is taking an unreasonable stand, that should be taken into account by the court while passing the final order for either vacating the interim order of reprieve or for making the provisional order absolute.

The petition stands disposed of .

(Ashutosh Kumar, J)

sunilkumar/-

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

