

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87403 of 2019

Arising Out of PS. Case No.-27 Year-2018 Thana- MAHILA P.S. District- Rohtas

UTTAM KUMAR SINGH Son of Kameshwar Singh Resident of Mohalla -
Kuraich Mahabir Asthan, P.S.- Sasaram, District- Rohtas

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Puja Kumari Wife of Utam Kumar Singh, D/O- Ganesh Singh Resident of
Village - Niranjan Bigha, Dihri, P.O. and P.S.- Dihri, District- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Pandey, Adv.
For the Opposite Party/s	:	Ms.Asha Devi, APP
For the Opposite Party No.2	:	Mr. Ajay Kumar Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-08-2021 Heard Mr. Ashok Kumar Pandey, learned counsel

for the petitioner and Mr. Ajay Kumar Tiwary, learned

counsel for the informant. The State is represented by Ms.

Asha Devi, learned APP.

The petitioner, who is husband of opposite party
no. 2 seeks bail in anticipation of his arrest in connection
with Mahila P.S. Case No. 27/18 instituted for the offences
under Sections 323, 341, 498(A), 504, 506 and 34 of the
Indian Penal Code and Section 3 /4 of the Dowry Prohibition
Act.

Though the learned counsel for the petitioner has



submitted that he is ever ready to negotiate with O.P. No. 2 for either resumption of matrimonial life or for a one time settlement but learned counsel for O.P. No. 2 has informed this Court that according to her information, the petitioner has already contracted second marriage which in itself is an offence and, therefore, it would not be possible for resumption of matrimonial life. However, O.P. No. 2 is ready for negotiations with the petitioner for a one time settlement so as to begin her life afresh with a tabula-rasa.

Considering this stand of the parties, this Court deems it appropriate to direct that in case the petitioner surrenders before the court below and seeks bail, he shall first be granted provisional bail and simultaneously notice shall be issued to O.P. No. 2. On her appearance, the court below shall facilitate a negotiation between the spouses for a one time settlement. In case the parties agree to come to a conclusion which would be to the satisfaction of O.P. No. 2 and the petitioner as well, the provisional bail of the petitioner shall be confirmed.

If the stand of the petitioner appears to be



unreasonable, the provisional bail granted to the petitioner
shall not be confirmed.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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