

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13003 of 2021

Arising Out of PS. Case No.-24 Year-2020 Thana- AGRER District- Rohtas

YASWANT KUMAR PANDEY Son of Yugal Kishore Pandey Resident of
Mohalla - Gandhinagar, Ward No. 28 Tridandi Ashram, Dehari, P.S.- Dehari,
District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Om Prakash Upadhyay
For the Opposite Party/s	:	Mr. APP
For the Informant	:	Mr. Sudama Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-01-2022 Heard Om Prakash Upadhyay, the learned

counsel for the petitioner and Mr. Sudama Singh, the

learned counsel for the informant. The State is

represented by the learned APP.

The petitioner, who is the husband of the
informant seeks bail in anticipation of his arrest in
connection with Agrer P.S. Case No. 24 of 2020
instituted for the offences under Sections 341, 323,
498A, 406, 504 and 506/34 of the Indian Penal Code.

Though the accusation in the F.I.R. is of ill
treatment because of non fulfillment of dowry demand



but the learned counsel for the petitioner has submitted that the story is otherwise. The marriage had been solemnized after concealing the mental illness of the informant. Notwithstanding the aforesaid fact, the petitioner has been spending time and money for treatment of his wife. For some reason or the other, the relationship between the spouses have now soured and they are staying separately.

Mr. Sudama Singh, the learned counsel for the informant, however, has a different story to narrate. He submits that the informant has been suffering from depression because of the disturbed matrimonial relationship with her husband. It has been submitted that she is ever ready to enter into negotiations with the petitioner for an amicable settlement of dispute, preferably for resumption of matrimonial life.

Mr. Upadhyay, learned counsel for the petitioner submits upfront that the petitioner also would be desirous of exploring all possibilities of an effective



and amicable settlement between the spouses which would be good for both of them.

Considering the aforesaid stand of the parties, this Court directs that in the event of the petitioner surrendering before the court below within a period of six weeks, he shall be released on provisional bail on his furnishing bonds in the sum of Rs. 10,000 (Rs. Ten Thousand) with to sureties of like amount. Simultaneously, the notice shall be issued to the opposite party no. 2 and on her appearance, the court below shall provide the ample opportunities for negotiation between the spouses and there family members, if so deemed necessary for an amicable settlement.

In case the dispute is settled, the provisional bail of the petitioner shall be confirmed.

While taking a decision regarding confirmation of provisional bail of the petitioner, the court below shall also look at the attitude / stand of the parties and in



case it is found that anyone of them has been non-cooperative or unreasonable, that shall also be taken into account before passing a final order.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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