

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13970 of 2021

Arising Out of PS. Case No.-226 Year-2018 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

=====

Md. Naeem, aged 37 years (Male), Son of Md. Yunus Resident of Village-
Yogiraj Ward No. 7, P.S.- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Janaatun Khatoon, aged about 30 years (Female), Daughter of Md. Usman,
Wie of Md. Naeem Resident of Village- Rahta, P.S.- Uda Kushunnanj,
District- Madhepura.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Dr. Sanjay Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. APP
For the Informant	:	Mr. Gopal Kumar Jha, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-04-2022 Heard Dr. Sanjay Kumar Singh, learned advocate for

the petitioner and Mr. Gopal Kumar Jha for the opposite party

no.2. The State is represented by learned Additional Public

Prosecutor.

The petitioner who is the husband of the opposite
party no.2 seeks bail in anticipation of his arrest in connection
with Complaint Case No. 226 of 2018 in which cognizance has
been taken under Sections 498(A), 494, 323 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

In this case, notice was given to the opposite party
no.2 on the submission on behalf of the petitioner that he is



ready to settle the differences with his wife/opposite party no.2.

Though there is accusation of the petitioner having solemnized another marriage during the subsistence of his marriage with the opposite party no.2 but, the aforesaid accusation is vehemently denied.

Notwithstanding such accusation, the learned counsel for the petitioner has submitted that the petitioner is ever ready to enter into negotiations for amicable settlement of the matrimonial dispute.

Considering the aforementioned stand of the petitioner and no serious objection with respect to such proposal by the opposite party no.2, this Court directs that if the petitioner 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)

rishi/-

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

