

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18194 of 2021

Arising Out of PS. Case No.-45 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

Sanjeev Kumar Jha, aged about 45 years, Gender-Male, Son of Basuki Nath Jha Resident of Village - Kanhaiyachak, P.S.- Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shipra Kumari W/o Sanjeev Kumar Jha, D/o Gaurikant Jha Resident of Village - Premnagar, P.S.- Sabour, Dist.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Adv.
		Mr. Ranjan Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bhagalpur Mahila P.S. Case No. 45 of 2018 dated 06.08.2018 instituted for the offences under Sections 498A, 494, 323, 341/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

At the outset, the learned counsel for the petitioner has submitted that he is not averse to the talks of settlement with his wife/opposite party no.2, provided she is agreeable for the same. He also wants a rapprochement and perhaps restitution of conjugal rights.



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) 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	
---	--	---	--

