

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8728 of 2022

Arising Out of PS. Case No.-14 Year-2021 Thana- MAHILA P.S. District- Sitamarhi

IMTIYAZ HAQUE ANSARI @ IMTIYAZ ANSARI S/o Saimul Haque
Ansari Resident of Village- Rajopatti, Ward No.-12, P.S. and District-
Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fatama Zohara W/o Imtiyaz Haque Ansari Resident of Village-
Rajopatti, Ward No.-12, P.S. and Distt.- Sitamarhi. at present D/o Md. Parvez
Alam, Resident of Village- Aziznagar, Punaura, Wardf No.-03, P.S.-
Punaura, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-05-2022 The petitioner is one of the candidates in the

examination conducted by the High Court for the post of

Computer Operator, which is scheduled from 14th of May 2022.

Hence, priority hearing to this petition.

Heard the learned counsel for the parties.

The petitioner seeks bail in anticipation of his arrest

in connection with Mahila P.S. Case No. 14/2021 instituted for

the offences under Sections 323, 498(A), 504 and 34 of the

Indian Penal Code.

At the outset, 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 six 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)

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