

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9506 of 2020

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHILA P.S. District- Sheohar

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PRAVESH DAS @ PRAMESH KUMAR S/o Chauthi Das R/o village-
Sheohar Ward No. 14, P.S.- Sheohar, District- Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 03-01-2022 Heard Mr. Subodh Kumar, the learned counsel for

the petitioner and the learned APP for the State.

The petitioner, who is the husband of O.P. No. 2

seeks bail in anticipation of his arrest in connection with

Sheohar P.S. Case No. 14/2019 instituted for the offences

under Sections 323/ 498(A)/494/504/506/34 of the Indian

Penal Code.

On 04.03.2020, a Bench of this Court had issued

notice to opposite party no. 2 and had granted interim

protection to the petitioner.

It appears from the office note that the requisites

for issuance of notice was promptly filed by the petitioner



but the notice has not been received by the O.P. No. 2.

The petitioner maintains his stand that he is ready to enter into negotiations with O.P. No. 2 for an amicable settlement of marital discord between the spouses. He is ready for any eventuality, namely, either resumption of matrimonial life or for any other alternative settlement, whichever is mutually agreeable between the spouses.

Looking at the aforesaid stand of the petitioner, this Court deems appropriate, under the circumstances, to direct 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 two 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 their 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 of the parties and in case it is found that anyone of the parties 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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