

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15288 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- MAHILA P.S District- West Champaran

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SHAHID ALAM @ MD. SHAHID @ MD. SAHID S/O SERAJUL HAQUE
RESIDENT OF VILLAGE- HEERA PAKAR, NAYA TOLA, P.S.-
MANUAPUL, DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SALAMUN NESHA W/O MD. SHAHID AND D/O KHALIL MIYAN @
KHALIL ALAM PRESENTLY RESIDING AT VILLAGE- INARWA
BHAAR TOLA PAKARIYA, P.S.- PAHARPUR, DISTRICT- EAST
CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahtab Alam

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-01-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Mahila P.S. Case No. 10/2020

instituted for the offences under Sections 341, 323, 498(A)

of the Indian Penal Code and Section 3/4 of the Dowry

Prohibition Act.

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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