

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10747 of 2021

Arising Out of PS. Case No.-859 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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MD NIZAMUDDIN S/o Md. Ejrail Mansuri @ Md. Ejrail Resident of
Village- Thumma (Miya Tola), P.S. - Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Hamida Khatoon D/o Md. Latif Mansuri Resident of Village Thumma (Miya Tola), P.S. - Runnisaidpur, District - Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 06-04-2022 Heard Mr. Uday Kumar, learned Advocate for the
petitioner and the learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 859 of 2016 in which cognizance has been taken under Section 498A of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

Several adjournments were granted in this matter for the opposite party no. 2 whose parents have received the notice on her behalf to appear and contest this case.

Even today, nobody has appeared on behalf of opposite party no. 2.

The learned counsel for the petitioner has submitted



that even though there is an accusation against him in the complaint petition but the petitioner is ready to sit across the table to negotiate with opposite party no. 2 for settling the matrimonial discord.

Considering this stand of the petitioner, it is directed that in case the petitioner surrenders before the court below within a period of four weeks he shall be released on provisional bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount. Simultaneously, notice shall be issued to the opposite party no. 2 and on her appearance the court shall provide opportunity to the parties for a one time settlement which would take care of the financial needs of the opposite party no. 2. Should the stand of the petitioner be found to be unreasonable, the court below shall take that into account in passing a final order regarding confirmation of the provisional bail of the petitioner. Similar would be the situation, if the stand of the opposite party no. 2 is found to be unreasonable.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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