

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11011 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- AMNAUR District- Saran

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Bipul Kumar Singh @ Vipul Kumar Singh, aged about 32 years, Gender- Male, S/O Anil Kumar Singh R/O Village Dumari Adda, P.S-Doriganj, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lucky Kumari, D/o Ramayan Singh, Village Gyaspur, P.O. Rasoolpur, P.S. Amnour, Dist. Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Singh, Adv.
For the State	:	Mr. Navin Kumar Pandey, APP
For the O.P. No.2	:	Mr. Krishna Bihari, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 08-03-2022 Heard Mr. Abhay Kumar Singh, learned Advocate for the petitioner and Mr. Krishna Bihari for the O.P. No.2. The State is represented by Mr. Navin Kumar Pandey.

The petitioner, who is the husband of the opposite party no.2, seeks bail in anticipation of his arrest in connection with Amnour P.S. Case No. 155 of 2020 dated 03.05.2020 instituted for the offences under Sections 341, 323, 379, 504, 506, 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The learned counsel for the petitioner has submitted that he is ever ready to sit across the table and iron out the matrimonial differences between the spouses. Should the



opposite party no.2 be of the view that the petitioner should provide for a one time settlement amount to her towards her matrimonial dues, that also is acceptable to him.

Mr. Krishna Bihar learned counsel for the opposite party no.2 has submitted that the kind of treatments that was meted to her within six months of her marriage in her matrimonial home, the opposite party no.2 definitely would not like to resume the matrimonial life with the petitioner but, she would definitely want some arrangement for her maintenance be made so that she could continue with her life with ease.

The stand of the parties do not appear to be unreasonable. This Court therefore directs that in the event of petitioner surrendering 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 each to the satisfaction of the learned Additional Chief Judicial Magistrate 2nd, Saran in connection with Amnour P.S. Case No. 155 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Simultaneously, the opposite party no.2 shall be noticed and on her appearance, the court below shall ensure that opportunity is provided to the spouses to negotiate the



differences. In case, the parties are ready for any settlement either by way of resumption of matrimonial life or for a one time settlement covering all the matrimonial dues of the opposite party no.2, the provisional bail granted to the petitioner shall be confirmed.

If for any reason, the negotiation fails, the court shall take into account the respective conduct and stand of the parties in passing a final order regarding confirmation of the provisional bail.

The petition stands disposed of.

(Ashutosh Kumar, J)

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