

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60184 of 2023

Arising Out of PS. Case No.-2975 Year-2019 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

Reyaz Ansari @ Reyaz Ahmad S/O Roj Mohammad R/O Vill - Shankar
Sarey, P.S. - Turkawaliya, Distt. - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jahan Aara Khatoon Wife Of Reyaz Ahmad, D/O Kasim Ansari Village
Surwal, P.S Barauli, District Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

Mr. Syed Firoz Raja, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 4 01-05-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel appearing on
behalf of the O.P. No.2.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 498A of the Indian Penal Code.
3. The learned counsel for the parties jointly
submitted that the case was referred for mediation, but then the
mediation proceedings failed.
4. The learned counsel appearing on behalf of the



petitioner submits that in the mediation proceedings seven dates were fixed, but the O.P. No.2 did not appear on any of the dates when petitioner was present. It is further submitted that the conduct of the O.P. No.2 in not appearing before the learned Mediator for getting the dispute resolved amply reflects that O.P. No.2 was never interested in restituting her conjugal rights.

5. It is next submitted that petitioner before the learned Mediator had taken a specific plea that he intends to restitute his conjugal rights and even today the petitioner is ready to keep the O.P. No.2 with honour and dignity. It is further submitted that whenever any dispute arises in between the husband and her wife cases are instituted with exaggerated allegation, but then when petitioner intends to revive his conjugal relationship the O.P. No.2 should also come forward.

6. The learned counsel appearing on behalf of the O.P. No.2 submits that he has instructions to make submission that O.P. No.2 does not intend to revive her conjugal relationship.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees



Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., XVI, Gopalganj in connection with Complaint Case No.2975 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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