

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5688 of 2015

Arising Out of PS.Case No. -587 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Abdul Qadir son of Md. Ayub

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 11-02-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner being husband of the complainant apprehends his arrest in connection with Complaint Case No.587 of 2014 registered for the offences punishable under Sections 323, 498A and 406 of the Indian Penal Code.

The stand of the petitioner is that he is still ready to keep the complainant with him but complainant does not want to lead her conjugal life with the petitioner on this or that pretext.

Without entering into the merit of this case, this petition stands disposed of with direction to petitioner to surrender and seek regular bail before the Chief Judicial Magistrate, Gopalganj within six weeks from today and, if, petitioner does so, the concerned court shall release the petitioner on provisional bail

for the period of four months on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned court and after releasing the petitioner, the concerned court shall issue notice to the petitioner as well as opposite party no. 2 fixing date for conciliation and shall take all possible steps to patch up the dispute of the parties within six months from the date of issuance of the above stated notice. It goes without saying that if the concerned court succeeds in his attempt the provisional bail granted to the petitioner shall be confirmed by the concerned court itself, but if the concerned court fails in his attempt, due to rigid and non co-operative approach of the petitioner, the provisional bail granted to him shall not be confirmed by the concerned court and in that event petitioner shall be taken into custody by the concerned court. It is needless to say that, if, the concerned court fails in his attempt, due to non co-operation and rigid approach of the opposite party no. 2, the concerned court shall confirm the provisional bail granted to the petitioner.

Namita/-

(Hemant Kumar Srivastava, J)

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