

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5893 of 2015**

Arising Out of PS.Case No. -1264 Year- 2014 Thana -SIWAN COMPLAINT CASE District-  
SIWAN

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1. Md. Arsad Ahsan @ Arshad Ahasan @ Tinku S/o Samsuddin Engineer.

.... .... Petitioner/s

Versus

1. The State of Bihar.

2. Tabassum Khatoon@Suggu. Daughter of Sher Mohammad

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shafiur Rahman

For the Opposite Party/s : Mr. C. Jawahar (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
ORAL ORDER

2 13-02-2015

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner being husband of the opposite party no. 2  
apprehends his arrest in connection with Complaint Case No.  
1264 of 2014 in which cognizance has been taken for the  
offences punishable under Sections 498A, 406/34 of the Indian  
Penal Code and 3/4 of Dowry Prohibition Act, pending in the  
court of Sub Divisional Judicial Magistrate, Siwan.

Although, it appears from the impugned order of  
learned Sessions Judge, Siwan that petitioner flatly refused to  
keep the complainant (opposite party no. 2) with him but learned  
counsel for the petitioner submits that petitioner still wants to

keep the complainant with him.

In view of the aforesaid submissions, this petition stands disposed of with direction to petitioner to surrender and seek regular bail before the court below within four weeks from the date of receipt/production of copy of this order to the court concerned and if petitioner does so, the concerned court shall release the petitioner on provisional bail for the period of four months on the day of his surrender 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 the above stated period of four months. 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 cooperative 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 cooperative and rigid approach of the opposite party no. 2, the concerned court shall confirm the provisional bail granted to the petitioner.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-

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