

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7309 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -JAYNAGAR District- MADHUBANI

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1. Uday Kant Singh @ Surendra Kumar Singh Son of Bansh Lal Singh,
Resident of Salra Lohara, P.S. - Jaynagar, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh

For the Opposite Party/s Mr. Rajesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 26.02.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the informant and apprehends his arrest in connection with a case registered under sections 498A, 379/34 of the IPC and section 3/ 4 of the D.P. Act.

The contention on behalf of the petitioner is that the petitioner is still ready to keep the informant with full honour and dignity.

Considering the aforesaid facts and circumstances, this anticipatory bail stands disposed of with direction to petitioner to surrender before the Sub divisional Judicial Magistrate, Madhubani/ concerned court in connection with Jaynagar P.S. case no. 28/2014 within four weeks from the date of receipt /production of a copy of this order and seek regular bail and if petitioner does so, the concerned court shall release the petitioner on provisional bail on the

day of his surrender for a period of four months on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to his satisfaction.

Furthermore, after being released the petitioner on provisional bail, the concerned court shall issue notice to the petitioner as well as informant fixing a date for reconciliation and shall take all possible steps to patch up the dispute of the parties and in the above stated attempt, if the concerned court succeeds to patch up the dispute of the parties, the concerned court shall pass order for confirmation of bail of the petitioner but if the concerned court fails due to rigid approach of the petitioner, then, in that event, provisional bail of the petitioner will not be confirmed by the court below and in that event, petitioner shall be taken into custody and his regular bail application shall be decided by the concerned court on its own merit.

It goes without saying that if the aforesaid effort fails on account of rigid and non-cooperative approach of the informant, the provisional bail of the petitioner shall be confirmed by the court below itself.

Shahid

(Hemant Kumar Srivastava, J.)

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