

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5698 of 2015

Arising Out of PS.Case No. -737 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EAST CHAMPARAN(MOTIHARI)

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Samsuddin Mian, son of Abdul Rahim Mian.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sagiran Khatoon, wife of Samsuddin Mian

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 12-02-2015 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the opposite party no. 2 (complainant). Although, it is stated that petitioner has solemnized his second marriage with another woman but even then the stand of the petitioner is that he is ready to keep the opposite party no. 2 with full honour and dignity.

In view of the aforesaid submissions as well as facts and circumstances of the case, this petition stands disposed of with direction to petitioner to surrender before



the court of Sri R. K. Rajak, Judicial Magistrate 1st Class, Sadar, Motihari, East Champaran/concerned court in connection with Complaint Case No. C-737 of 2013 and seek regular bail 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 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 except her denial on the ground of second marriage, the concerned court shall confirm the provisional bail granted to the petitioner.

(Hemant Kumar Srivastava, J)

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