

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6989 of 2015

Arising Out of PS.Case No. -216 Year- 2013 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Nag Narayan Thakur son of Dhorha Thakur resident of village -
Bankatawa, P.S. - Paharpur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Reena Devi daughter of Prabhu Thakur resident of village - Baithaniya,
P.S. - Majhauriya, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-02-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Paharpur Police Station Case No. 216 of 2013 registered for the
offences punishable under Sections 498A and 120B of the Indian
Penal Code.

Petitioner happens to be husband of the informant and
it appears that the marriage was solemnized in the year 2007 and
after marriage a girl child was born but later on, dispute arose
between the parties resulting filing of this case.

The contention on behalf of the petitioner is that

petitioner is ready to keep the informant with him and he has also filed a suit for restitution of conjugal right.

Considering the aforesaid submissions as well as facts and circumstances of the case, this petition stands disposed of with direction to the petitioner to surrender and seek regular bail within six weeks from today before the court of Chief Judicial Magistrate, East Champaran at Motihari in connection with Paharpur P.S. Case No. 216 of 2013 and, if, petitioner does so, the concerned court shall release the petitioner on provisional bail for the period of six 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.

(Hemant Kumar Srivastava, J)

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