

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10375 of 2015

Arising Out of PS.Case No. -2126 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Munna Kumar Patel S/o Late Mahendra Patel, R/o Village- Gariba, P.S. - Kalyanpur, Dist- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Meenakshi Devi W/o Munna Kumar Patel R/o village Bathna Bhojagachi, P.S.- Kesariya, Dist- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. R.P.S.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 17-03-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Complaint Case No. 2126 of 2013 registered for the offences punishable under Sections 323, 406, 420, 498A and 504 of the Indian Penal Code.

At the very outset, learned counsel for the petitioner submits that petitioner is ready to keep the complainant with full honour and dignity and as a matter of fact, there is no allegation of illegal demand rather it is only stated that after death of complainant's father, the petitioner and his family members

started torturing to the complainant.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition stands disposed of with direction to petitioner to surrender and seek regular bail before the court below within six weeks from today 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 Chief Judicial Magistrate, East Champaran in connection with Complaint Case No. 2126 of 2013, corresponding to session trial no.995 of 2014 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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