

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10186 of 2015

Arising Out of PS.Case No. -3285 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Anil Pandey Son of Late Brij Kishore Pandey Resident of village -
Pakriyar, Police Station Mirganj, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranjna Devi Wife of Anil Pandey Resident of village - Pakriyar, Police
Station Mirganj, District - Gopalganj, At Present resident of village - Sher
Police Station - Sidhwaliya, District - Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

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

The petitioner apprehends his arrest in connection
with Complaint Case No. 3285 of 2012, Tr. No. 4106 of 2014
registered for the offence under Sections-498A, 406 of the Indian
Penal Code.

Although the impugned order reveals that at the time
of hearing of anticipatory bail before the learned Sessions Judge,
Gopalganj, the petitioner made himself absent from the
proceeding, resulting dismissal of his prayer for anticipatory bail
but learned counsel, appearing for the petitioner submits that the

petitioner is still ready to keep the complainant with full honour and dignity.

In view of the aforesaid submissions, without entering into merit of the case, this petition stands disposed off with direction to the petitioner to surrender before Sri C. M. Jha, learned Sub Divisional Judicial Magistrate /concerned court, Gopalganj and seek regular bail within four weeks from the date of receipt/production of copy of this order and if, the petitioner does so, the petitioner shall be enlarged on provisional bail on the date of surrender itself, for a period of four months on furnishing bail bond of Rs 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sri C. M. Jha, learned Sub Divisional Judicial Magistrate/concerned court, Gopalganj in connection with Complaint Case No. 3285 of 2012, Tr. No. 4106 of 2014.

It is further made clear that after being released on provisional bail, the concerned court shall issue notice to the petitioner as well as the complainant, fixing a date for reconciliation and shall take all efforts to patch up the dispute of the parties within four months from the date of surrender of the petitioner. It is also made clear that if, the concerned court succeeds in his attempt, the provisional bail granted to the

petitioner shall be confirmed by the concerned court but if, the concerned court fails in his attempt due to rigid and non-cooperative approach of the petitioner, the provisional bail granted to the petitioner shall not be confirmed by the concerned court and in that event, the petitioner shall be taken into custody and on his regular bail petition, the order shall be passed on its own merit without being prejudiced by this order.

It goes without saying that if, the reconciliation proceeding fails due to rigid and non-cooperative approach of the complainant, the provisional bail granted to the petitioner shall be confirmed by the concerned court itself.

(Hemant Kumar Srivastava, J)

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