

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8332 of 2015

Arising Out of PS.Case No. -308 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Abdul Salam Son of Md. Hurmuz, Resident of Village - Baragaon, P.S. -
Caklia, District - Uttar Dinajpur (W.B.).

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Hajra Khatoon Wife of Abdul Salam D/o Md. Aainul Ansari,
Resident of Village - Saharpur, P.S. - Dau Khora, District - Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir
For the Opposite Party/s : Mr. Md.Aslam Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

C.A.Case No. 308 of 2014 registered for the offences punishable

under Section 498A/34 of the Indian Penal Code.

Petitioner happens to be husband of the complainant

and his specific stand is that he is still ready to keep the

complainant with full honour and dignity.

Without entering into the merit of this case, this petition

stands disposed of with direction to petitioner to surrender and

seek regular bail before the court of Sub Divisional Judicial

Magistrate, Katihar in connection with C.A.Case No. 308 of 2014 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 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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