

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2433 of 2015

Arising Out of PS.Case No. -3676 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

Md. Azad, son of late Md. Basir.

.... Petitioner/s

Versus

1. The State of Bihar
2. Afsana Khatoon, wife of Md. Azad, D/o- Late Md. Noor Alam.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner being husband of the opposite party no. 2 apprehends his arrest in connection with Complaint Case No. 3676 C of 2013 in which cognizance has been taken for the offence punishable under Section 498A/34 of the Indian Penal Code, pending in the court of Judicial Magistrate 1st Class, Araria.

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 below within three weeks from the date of receipt/production of copy of this order to the court concerned 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, the concerned court shall confirm the provisional bail granted to the petitioner.

(Hemant Kumar Srivastava, J)

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