

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1268 of 2015

Arising Out of PS.Case No. -35 Year- 2013 Thana -MAHILA P.S. District- LAKHISARAI

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Parmanand Yadav, son of late Ram Chandra Yadav.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 13-01-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner being husband of the informant apprehends his arrest in connection with Lakhisarai Mahila P.S. Case No. 35 of 2013 registered for the offences punishable under Sections 498A, 406, 354/34 of the Indian Penal Code, ¾ of Dowry Prohibition Act and Sections 4, 12, 31 of the Domestic Violence Act, pending in the court of Chief Judicial Magistrate, Lakhisarai.

At the very outset, learned counsel for the petitioner points out that petitioner has filed a suit for restitution of conjugal rights and he is ready to keep the informant with him with full honour and dignity but the

informant does not want to lead her conjugal life with the petitioner.

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 three 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 informant fixing date for conciliation and shall take all possible steps to patch up the dispute of the parties within the above stated period of three 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 informant, the concerned court shall confirm the provisional bail granted to the petitioner.

(Hemant Kumar Srivastava, J)

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