

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14868 of 2015

Arising Out of PS.Case No. -732 Year- 2014 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Shiv Shankar Bhagat @ Shankar Bhagat @ Shiv Shankar Kumar S/o
Narayan Bhagat Resident of Village Nariyar, Roy Tola, P.S. Saharsa,
District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Premlata Devi W/o Shiv Shankar Bhagat, D/o Dayashankar Bhagat
Resident of Village Rampatti, P.S. Singheshwar, District Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s Mr. Anil Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 10.04.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the complainant and
stand of the petitioner is that he is still ready to keep complainant
with full honour and dignity.

Considering the aforesaid facts and circumstances of the
case, this anticipatory bail stands disposed of with direction to
petitioner to surrender before the Sub divisional Judicial Magistrate,
Madhepura/ concerned court in connection with Complaint case no.
732C/2014 within four weeks from the date of receipt /production of
a copy of this order and seek regular bail and if petitioner does so,
the concerned court shall release the petitioner on provisional bail on
the day of his surrender for a period of four months on furnishing

bail bonds of Rs. 10,000/- with two sureties of the like amount each to his satisfaction.

Furthermore, after being released the petitioner on provisional bail, the concerned court shall issue notice to the petitioner as well as complainant fixing a date for reconciliation and shall take all possible steps to patch up the dispute of the parties and in the above stated attempt, if the concerned court succeeds to patch up the dispute of the parties, the concerned court shall pass order for confirmation of bail of the petitioner but if the concerned court fails due to rigid approach of the petitioner, then, in that event, provisional bail of the petitioner will not be confirmed by the court below and in that event, petitioner shall be taken into custody and his regular bail application shall be decided by the concerned court on its own merit.

It goes without saying that if the aforesaid effort fails on account of rigid and non-cooperative approach of the complainant, the provisional bail of the petitioner shall be confirmed by the court below itself.

Shahid

(**Hemant Kumar Srivastava, J.**)

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