

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17246 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -COMPLAINT CASE District- KISANGANJ

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1. Abul Kalam S/o Abdul Halim resident of village - Bohita, P.S. Kochadhaman, District - Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Mustari Begum W/o Abul Kalam, D/o Hakimuddin resident of village - Asura, P.S. Bishanpur, District - Kishanganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Opposite Party/s : Mr. Amitesh Kumar(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 30-07-2015 Heard.

Let the petitioner surrender and pray for regular bail before CJM, Kishanganj or any other Magistrate of competent jurisdiction who could be seized with Complaint Case No.28 of 2014. The court below while accepting the bond provisionally and by the same order, shall issue a notice to the complainant fixing a date for her appearance on which date the petitioner shall also appear before the court below. The notice to the complainant shall be served through the police station within whose jurisdiction the lady could be residing. The court below, at the same time, shall draw an order recording therein the need of the lady to appear before it on the date fixed and show that order to the learned

counsel appearing for the complainant before him. On appearance of the parties before him on the date fixed, the court below shall try to find out the creases in the relationship with the spouses and shall by talking to them jointly and severally, attempt to erase those creases by using his good offices. The court below shall impress upon the spouses the need to rejoin the matrimonial institution and live peacefully as married couple. If need be, adjournments may be granted in order to striking reconciliation and the bond provisionally accepted may be extended from time to time as the need may arrive. In case, the petitioner appears taking a very difficult position or placing some unreasonable conditions for taking the lady back to his family fold, the bond of the petitioner shall be cancelled and he shall be remanded to the custody. Likewise, if the lady appears taking a difficult position putting equally difficult position, then the bond of the petitioner shall be confirmed.

With the above observations and directions, this petition stands disposed of.

(Dharnidhar Jha, J)

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