

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11499 of 2015

Arising Out of PS.Case No. -2066 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

=====

1. Sahil Hussain S/o - Late Mehdi Hasan R/o - Village - Miralipur, P.O. -
V.S. Mill, P.S. - Thawe, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Afsana Khatoon Wife of Sahil Hussain (Petitioner), Daughter of Late
Sheikh Hafizullah resident of village - Bagha Nizamat, P.S. - Thawe, Distt -
Gopalganj.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shafiur Rahman
For the State : Mr. Ram Priya Sharan Singh (App)
For the O.P No. 2 Mr. Subhash Pandey

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-04-2015 Heard learned counsel for the petitioner, learned

counsel for the opposite party no. 2 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. 2066
of 2013 in which cognizance has been taken for the offences
punishable under Sections 498A/34, 406 of the Indian Penal Code,
pending in the court of Sub Divisional Judicial Magistrate,
Gopalganj.

It is contended on behalf of the petitioner that he is
always ready to keep the opposite party no. 2 with him with full

honour and dignity but opposite party no. 2 herself does not want to lead her conjugal life with the petitioner.

On contrary, learned counsel appearing for the opposite party no. 2 submits that petitioner himself does not want to keep the opposite party no. 2 with him.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this petition stands disposed of with direction to petitioner to surrender and seek regular bail before the court below within four 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)

SHAHZAD/-

U		T	
---	--	---	--