

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24920 of 2015

Arising Out of PS.Case No. -1485 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Jiaur Haque @ Jiaul Haque @ Jiyarul Haque Son of Jhallu Raeen
resident of village - Gangully, Police Station Benipatti, District -
Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Rajina Khatoon W/o Jiaul Haque resident of village - Gangully, Police
Station Benipatti, District - Madhubani, and D/o Sekhawat Raeen, resident
of village - P/O and, Police Station - Tulsiyahi, District - Dhanukha, (Nepal

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Varan Yadav

For the Opposite Party/s Mr. Harendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 16.07.2015 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 the complainant
with full honour and dignity.

The complainant before enquiry court also expressed
similar view.

In view of the above stated facts and circumstances of
the case, this anticipatory bail stands disposed of with direction to
petitioner to surrender before Sri Sukul Ram, Judicial Magistrate, Ist
Class, Madhubani/concerned court in connection with Complaint
case no. 1485/2013 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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