

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26468 of 2015**

Arising Out of PS.Case No. -1535 Year- 2013 Thana -SIWAN COMPLAINT CASE District-  
SIWAN



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1. Pradeep Pandit @ Pradeep Kumar, Son of Sri Ramdeo Pandit, resident of Village- Milki, Police Station- Ekma, District- Chapra, at present residing in House No. 1059, Rajeev Nagar, Sector-33, Faridabad, Police Station- Faridabad, District- Faridabad (Haryana).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Bharat Lal (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      17-07-2015      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1535 of 2013, in which, cognizance has been taken for the offence punishable under Sections-498A, 406, 323, 379, 120B, 504 and 506 of the Indian Penal Code and Sections-3/4 of Dowry Prohibition Act.

Petitioner happens to be husband of the complainant and there is allegation of torturing and illegal demand but submission on behalf of the petitioner is that he is ready to keep the complainant with him with full honour and dignity but it is the

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

In view of the aforesaid submissions, without entering into merit of the case, this petition stands disposed off with direction to the petitioner to surrender before the Learned Chief Judicial Magistrate/concerned court, Siwan and seek regular bail within four weeks from the date of receipt/production of copy of this order and if, the petitioner does so, the petitioner shall be enlarged on provisional bail on the date of surrender itself, for a period of four months on furnishing bail bond of Rs 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Learned Chief Judicial Magistrate/concerned court, Siwan in connection with Complaint Case No. 1535 of 2013.

It is further made clear after being released on provisional bail, the concerned court shall issue notice to the petitioner as well as the complainant, fixing a date for reconciliation and shall take all efforts to patch up the dispute of the parties within four months from the date of surrender of the petitioner. It is also made clear that if, the concerned court succeeds in his attempt, the provisional bail granted to the petitioner shall be confirmed by the concerned court but if, the concerned court fails in his attempt due to rigid and non-

cooperative approach of the petitioner, the provisional bail granted to the petitioner shall not be confirmed by the concerned court and in that event, the petitioner shall be taken into custody and on his regular bail petition, the order shall be passed on its own merit without being prejudiced by this order.

It goes without saying that if, the reconciliation proceeding fails due to rigid and non-cooperative approach of the complainant, the provisional bail granted to the petitioner shall be confirmed by the concerned court itself.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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