

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32149 of 2014

Arising Out of PS.Case No. -1032 Year- 2012 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Mantu Baitha S/o Ram Bachan Baitha Resident of village- Surhuriya,
P.S.- Suryapura, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar null null
2. Rinku Devi W/o Mantu Baitha, D/o Sudarshan Baitha Resident of
village- Maniya, P.S.- Nawanganar, District- Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai

For the Opposite Party/s : Mr. Lallan Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-02-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Complaint Case No. 1032 (c) of 2012 registered for the offences

punishable under Section 498A of the Indian Penal Code.

Petitioner happens to be husband of complainant

whose marriage was solemnized with petitioner in the year 2006

but after marriage difference arose between the parties resulting

filing of the present complaint case. However, in course of hearing

learned counsel appearing for the petitioner submits that petitioner

is ready to keep the complainant with him with full honor and

dignity.

From perusal of the impugned order of the learned Session Judge, I find that learned Session Judge had also taken steps to patch up the dispute of the parties but the dispute of the parties could not be resolved. Without entering into the merit of this case, this petition stands disposed of with direction to petitioner to surrender and seek regular bail before the court below within four weeks from today and, if, petitioner does so, the concerned court shall release the petitioner on provisional bail for the period of four months on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Sub- divisional Judicial Magistrate, Buxar in connection with complaint Case No. 1032(c) of 2012 /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 four months from the date of issuance of the above stated notice. 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 co-operative 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 co-operation and rigid approach of the opposite party no. 2, the concerned court shall confirm the provisional bail granted to the petitioner.

Namita/-

(Hemant Kumar Srivastava, J)

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