

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34489 of 2014

Arising Out of PS.Case No. -1055 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Devendra Das S/o Parmeshwar Das Resident of Village Bahdinpur, P.S. Paroo, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shyampati Devi D/o Harihar Das and W/o Devendra Das At present residing at Village Jamuna, P.S. Paroo, District Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Opposite Party/s : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 03-04-2015 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. 1055 of 2013 registered for the offences punishable under Section 498A of the Indian Penal Code.

It is informed on behalf of the both the parties that they are ready to lead their conjugal life together.

In view of the aforesaid submission, this anticipatory bail petition stands disposed of with direction to the petitioner to surrender and seek regular bail before the court of Judicial Magistrate 1st class, Muzaffarpur in connection with Complaint Case no. 1055 of 2013 within four weeks from today and, if, petitioner does so, the concerned court shall release the petitioner on provisional bail for the period of six months 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 six 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 and his regular bail shall be decided on its own merit. It is needless to say that, if, the concerned court fails in his attempt, due to non co-operative 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)

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