

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32385 of 2014**

Arising Out of PS.Case No. -114 Year- 2013 Thana -MAHILA P.S. District- BHOJPUR

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1. Deepak Choudhary, S/o Mohan Choudhary, R/o Village - Kurmuri ,  
P.s - Sikarhatta , District - Bhojpur .

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Pooja Devi , W/o Deepak Choudhary ,D/o Nanhoo Choudhary , R/o  
Village - Masarh , P.S. Udwantnagar , District - Bhojpur .

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

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**Appearance :**

For the Petitioner/s : Mr. Amarendra Kumar

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

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

3      06-04-2015                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State and learned  
  
counsel for the opposite party no. 2.

Petitioner apprehends his arrest in connection with  
  
Bhojpur Mahila Police Station Case No. 1808 of 2013 registered  
  
for the offences punishable under Sections 323, 498A/34 of the  
  
Indian Penal Code.

The opposite party no. 2 is present in person and she  
  
states that she is ready to lead her conjugal life with the petitioner.

The learned counsel appearing for the petitioner  
  
submits that petitioner is also ready to keep the opposite party no.  
  
2 with full honour and dignity though he has already filed Divorce

suit no. 155 of 2013 but if the dispute of the parties is resolved amicably, the petitioner shall withdraw the Divorce suit no. 155 of 2013.

In view of the aforesaid submission as well as facts and circumstances of the case, this petition stands disposed of with direction to petitioner to surrender and seek regular bail before the court of Chief Judicial Magistrate, Bhojpur, Ara in connection with Bhojpur Mahila P.S. Case No. 114 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 four 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 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 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)**

Namita/-

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