

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47504 of 2013

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1. Pankaj Thakur Son Of Baijnath Thakur @ Baidyanath Thakur Resident
Of Village- Koylakur, P.S.-Kalyanpur, District- Samastipur (Bihar)

.... Petitioner/s

Versus

1. The State Of Bihar
2. Neetu Devi Wife Of Pankaj Thakur Presently Residing At - D/O
Jagarnath Thakur, Village- Rampur Dhudhpura, P.S.- Samastipur
(Muffassil), District- Samastipur (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 02-02-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State. No one appears
on behalf of opposite party no. 2 though notice was served upon
the brother of opposite party no. 2.

Petitioner being husband of the opposite party no. 2
was granted provisional bail by this court vide order dated
17.12.2013 and notice was issued to opposite party no. 2 with an
intent to patch up the dispute of the parties but due to non
appearance of opposite party no. 2, it is difficult for this court to
take any step towards the conciliation proceeding.

Therefore, in the aforesaid circumstance, this petition
stands disposed of with direction to Smt. Richa Bhargava, Judicial

Magistrate 1st Class, Samastipur/concerned court to issue notice to the petitioner as well as opposite party no. 2 (complainant) fixing date for reconciliation and take all possible steps to patch up the dispute of the parties within two months from the date of appearance of both the parties before the concerned court. It goes without saying that if the concerned court succeeds in his attempt, the provisional bail granted to the petitioner by this court vide order dated 17.12.2013 shall be confirmed by the concerned court itself, but if the concerned court fails in his attempt due to rigid and non cooperative 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 cooperative 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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