

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52197 of 2014

Arising Out of PS.Case No. -6 Year- 2013 Thana -PURNIA COMPLAINT CASE District- PURNIA

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Dost Mohammad, son of late Muslim, resident of village Maheshpur, P.S. Falka District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Zuhi Khatoon, D/O- Haji Md. Wazid, resident of village- Madhopara Islam Nagar, P.S. K. Hat, District Purnea.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 06-01-2015 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. 06 of 2013 in which cognizance has been taken for the offence punishable under Section 498A of the Indian Penal Code, pending in the court of Sri S. Singh, Judicial Magistrate 1st Class, Purnea.

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 six 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 the above stated period of four months. 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 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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