

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34657 of 2014

Arising Out of PS.Case No. -54 Year- 2013 Thana -MAHILA P.S District- SUPAUL

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1. Md. Firoj Son of Md. Hakim , resident of village - Sakhuwa ,
Police Station - Pipra , District - Supaul .

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta

For the Opposite Party/s : Mr. Yogendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is husband of the informant and according to
the prosecution case, the marriage of petitioner had taken place
with the informant eight years ago but later on, petitioner
solemnized his second marriage with another lady and it appears
that dispute arose between the parties after solemnization of
second marriage by the petitioner.

Learned counsel for the petitioner submits that the
petitioner is still ready to keep the informant with him and as a
matter of fact, the second marriage of the petitioner is valid
according to his personal law. It is further contended by him that
petitioner solemnized his second marriage with consent of

informant but later on informant lodged this case due to some misunderstanding.

In view of the aforesaid submissions, this anticipatory bail petition stands disposed of with direction to the petitioner to surrender and seek regular bail before the court of Chief Judicial Magistrate, Supaul in connection with Supaul (Mahila) P.S.Case No. 54 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 on the day of his surrender 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 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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