

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34388 of 2014

Arising Out of PS.Case No. -2843 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Jarif son of Md. Mohsin . resident of village - Berakhor (Pokharia) ,
Police , Station - Abadpur , District - Katihar .

.... Petitioner/s

Versus

1. The State of Bihar.

2. Manjui khatoon wife of Md. Jarif , daughter of Mejharul Islam @
Majrl , resident of Tatwa , post - Dasgram , P.S . Abadpur , District -
Katihar .

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha

For the Opposite Party/s : Mr. Dasrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 13-02-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Case No. C. A. 2843 of 2013, in which, cognizance has been
taken for the offence punishable under Section-498A/34 of the
Indian Penal Code and Section-4 of Dowry Prohibition Act.

The contention on behalf of the petitioner is that the
petitioner is ready to keep the complainant with full honour and
dignity.

In view of the aforesaid submissions, without
entering into merit of the case, this petition stands disposed off



with direction to the petitioner to surrender before the learned Sub Divisional Judicial Magistrate/concerned court, Katihar and seek regular bail within four weeks from the date of receipt/production of copy of this order and if, the petitioner does so, the petitioner shall be enlarged on provisional bail on the date of surrender itself, for a period of four months on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate/concerned court, Katihar in connection with Case No. C. A. 2843 of 2013.

It is further made clear after being released on provisional bail, the concerned court shall issue notice to the petitioner as well as the complainant, fixing a date for reconciliation and shall take all efforts to patch up the dispute of the parties within four months from the date of surrender of the petitioner. It is also made clear that if, the concerned court succeeds in his attempt, the provisional bail granted to the petitioner shall be confirmed by the concerned court but if, the concerned court fails in his attempt due to rigid and non-cooperative approach of the petitioner, the provisional bail granted to the petitioner shall not be confirmed by the concerned court and in that event, the petitioner shall be taken into custody and on his

regular bail petition, the order shall be passed on its own merit without being prejudiced by this order.

It goes without saying that if the reconciliation proceeding fails due to rigid and non-cooperative approach of the complainant, the provisional bail granted to the petitioner shall be confirmed by the concerned court itself.

(Hemant Kumar Srivastava, J)

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