

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12190 of 2015

Arising Out of PS.Case No. -1183 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Bipin Bihari Mishra

.... Petitioner

Versus

1. The State of Bihar.
2. Madhu Devi.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Naresh Chandra Verma, Advocate.
For the State : Mr. Ram Anurag Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 31-03-2015

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. 1183 of 2014, registered under Sections
498(A) and 406/34 of the I.P.C.

Petitioner happens to be the husband of opposite party
no. 2 and there is allegation of torturing and cruelty against him
due to non-fulfillment of illegal demand but submission on behalf
of the petitioner is that the petitioner is ready to keep the opposite
party no. 2 with full honour and dignity.

In view of the aforesaid submissions, this petition stands
disposed of with direction to the petitioner to surrender before the
learned court below within four weeks from today and seek



regular bail and if the petitioner does so, the learned court below shall release the petitioner on provisional bail for the period of four months from the date of his surrender on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to its own satisfaction in connection with Complaint Case No. 1183 of 2014, and after release of the petitioner the concerned court shall issue notice to the petitioner as well as opposite party no. 2, fixing a date for reconciliation. After appearance of petitioner and opposite party no. 2 for reconciliation, the concerned court shall take all possible and effective steps to patch up the dispute of the parties and if the concerned court succeeds in his attempt, the provisional bail granted to the petitioner shall be confirmed by the concerned court.

It is also made clear that if the dispute of the parties could not be resolved due to non co-operation and rigid approach of the petitioner, the provisional bail granted to him shall not be confirmed by the concerned court and in that view the petitioner shall be taken into custody and his regular bail petition shall be decided on its own merit without being prejudiced by this order. It goes without saying that if the conciliation proceeding fails due to rigid and non co-operative approach of opposite party no. 2, the

provisional bail granted to the petitioner shall be confirmed by the learned court below itself.

U.K./-

(Hemant Kumar Srivastava, J)

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