

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9269 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -LAURIYA District- WEST
CHAMPARAN(BETTIAH)

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1. Raju Thakur son of Narendra Thakur
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amarendra Nath Verma
For the Opposite Party/s : M/s. Suman Kri Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 09-03-2015 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State as well as learned

counsel appearing for the informant though informant has not

been made party to this petition.

Petitioner being husband of the informant

apprehends his arrest in connection with Lauriya P.S. Case No.

25 of 2015 registered for the offences punishable under Sections

341, 323, 504, 506, 498A/34 of the Indian Penal Code and

Section 34 of Dowry Prohibition Act, pending in the court of

Chief Judicial Magistrate, Bettiah, West Champaran.

There is specific allegation of illegal demand as

well as torturing against the petitioner but the stand of the

petitioner is that he is ready to keep the informant with full

honour and dignity.

Learned counsel appearing for the informant submits that informant is, too, ready to lead her conjugal life with the petitioner.

It would appear from perusal of the first information report that after marriage, informant gave birth to two children out of her wedlock and, therefore, in my view, it would be proper to direct the trial court to take effective steps to patch up the dispute of the parties.

In view of the aforesaid facts and circumstances as well as submissions of the parties, 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 the day of his surrender 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 informant 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 informant, the concerned court shall confirm the provisional bail granted to the petitioner.

(Hemant Kumar Srivastava, J)

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