

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.866 of 2015

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Pradip Sah
..... Petitioner/s

Versus

State of Bihar & Anr
..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sudhir Kumar Thakur
For the Opposite Party/s Mr. S.D.Singh Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02 09.01.2015 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

At the very outset, it is pointed out on behalf of the petitioner that the petitioner wants to keep opposite party no.2 but it is opposite party no.2 who does not want to lead her conjugal life with the petitioner.

Admittedly, petitioner is husband of complainant and taking into consideration the facts and circumstances, this anticipatory bail stands disposed of with direction to petitioner to surrender before the Sub divisional Judicial Magistrate, Purnia/ concerned court in connection with Complaint Case No. 3131 of 2013 within three weeks from the date of receipt /production of a copy of this order and seek regular bail and if petitioner does so, the concerned court shall release the petitioner on provisional bail for a period of four months on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to his satisfaction.

Thereafter, the concerned court shall issue notice to

the petitioner as well as complainant fixing a date for reconciliation and shall take all possible steps to patch up the dispute of the parties and in the above stated attempt, if the concerned court succeeds to patch up the dispute of the parties, the concerned court shall pass order for confirmation of bail of the petitioner but if the concerned court fails due to rigid approach of the petitioner, then, in that event, provisional bail of the petitioner will not be confirmed by the court below.

It goes without saying that if the aforesaid effort fails on account of rigid and non-cooperative approach of the complainant, the provisional bail of the petitioner shall be confirmed by the court below itself.

Shahid

(Hemant Kumar Srivastava, J.)

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