

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11990 of 2015

Arising Out of PS.Case No. -3573 Year- 2012 Thana -COMPLAINT CASE District- ARRARIA

=====

1. Md. Murshid Son of Sk. Moharram Resident of Village-Madanpur Tola-Teli Bochi, P.S.-Madanpur (Araria) District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sarwasi D/o- Md. Bashir, W/o-Md. Murshid At Present Resident of Village-Jhamata, P.S.-Tarabai, District-Araria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. M.Dayal (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 28-04-2015 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.3573 of 2012 registered for the offences punishable under Section 498A of the Indian Penal Code.

Petitioner happens to be husband of the complainant and he is ready to keep the complainant with full honour and dignity.

Without entering into the merit of this case, this petition stands disposed of with direction to petitioner to surrender and seek regular bail before the court of Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case no. 3573 of

2012 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 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 four months from the date of issuance of the above stated notice. 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. It is needless to say that, if, the concerned court fails in his attempt, due to non co-operation 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)

Namita/-

U		T	
---	--	---	--