

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24666 of 2015

Arising Out of PS.Case No. -621 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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1. Md. Firoj S/o Md. Zakir Resident of village - Kishanpur, P.S. - Muffasil,
Dist - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 13-07-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the informant and
it would appear from perusal of the impugned order of learned
Sessions Judge that a compromise petition had been filed in the
court below but when the anticipatory bail application of the
petitioner was taken up before the learned Session Judge, the
informant did not appear to support the factum of compromise nor
a fresh compromise petition along with photographs of the parties
was filed by the petitioner, resulting rejection of prayer of
anticipatory bail of the petitioner.

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

dignity and the informant is also ready to lead her married life with the petitioner but as a matter of fact, the parents of informant created all trouble and got lodged this case against the petitioner.

In view of the aforesaid submissions as well as facts and circumstances of the case, this anticipatory bail petition stands disposed of with direction to the petitioner to surrender and seek regular bail before the court Chief Judicial Magistrate, Purnea in connection with Sadar (Muffasil) P.S.Case No. 621 of 2014 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 notices 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 and his regular bail shall be decided on its own merit It is needless to say that, if, the concerned court fails in his attempt, due to non co-operative 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)

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