

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51855 of 2014

Arising Out of PS.Case No. -2610 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Sabir Ali son of Late Jalil Ansari

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-01-2015 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. 2610 of 2012 corresponding to Trial No.
4879 of 2013, registered for the offences punishable under Section
498A, 406, 323, 504 of the Indian Penal Code, pending in the
court of Judicial Magistrate, Motihari.

At the very outset, learned counsel for the petitioner
submits that petitioner is still ready to revive the matrimonial
dispute with opposite party no. 2.

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 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 six 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 six 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)

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