

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.598 of 2015

Arising Out of PS.Case No. -1658 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Nand Kishore Dhankar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Verma

For the Opposite Party/s Mr. Ashok Kr.Singh(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 Chief Judicial Magistrate, Sitamarhi/ concerned
court in connection with Complaint Case No. C-1 1658 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 he succeeds to patch up the dispute of the parties, he shall pass order for confirmation of bail of the petitioner but if he 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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