

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29416 of 2015

Arising Out of PS.Case No. -2976 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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1. Md. Nofil S/o Sabbir Resident of Village Thengapur, P.S. Jokihat,
District Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rafat Jahan W/o Md. Nofil, D/o Late Daud Resident of Village
Jogindrapur, P.O. Malalgaon, District Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 30-07-2015 Heard learned counsel for petitioner and learned Additional
Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 2976C of 2013, in which, cognizance has
been taken for the offence punishable under Section-498A of the
Indian Penal Code.

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

In view of the aforesaid submissions, without
entering into merit of the case, this petition stands disposed off
with direction to the petitioner to surrender before the learned



Judicial Magistrate-Ist Class/concerned court, Araria and seek regular bail within four weeks from the date of receipt/production of copy of this order and if, the petitioner does so, the petitioner shall be enlarged on provisional bail on the date of surrender itself, for a period of four months on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class/concerned court, Araria in connection with Complaint Case No. 2976C of 2013.

It is further made clear after being released on provisional bail, the concerned court shall issue notice to the petitioner as well as the complainant, fixing a date for reconciliation and shall take all efforts to patch up the dispute of the parties within four months from the date of surrender of the petitioner. It is also made clear that if, the concerned court succeeds in his attempt, the provisional bail granted to the petitioner shall be confirmed by the concerned court but if, the concerned court fails in his attempt due to rigid and non-cooperative approach of the petitioner, the provisional bail granted to the petitioner shall not be confirmed by the concerned court and in that event, the petitioner shall be taken into custody and on his regular bail petition, the order shall be passed on its own merit

without being prejudiced by this order.

It goes without saying that if the reconciliation proceeding fails due to rigid and non-cooperative approach of the complainant, the provisional bail granted to the petitioner shall be confirmed by the concerned court itself.

Accordingly, this petition stands disposed off.

(Hemant Kumar Srivastava, J)

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