

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6646 of 2015

Arising Out of Complaint Case No. -440 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

=====

1. Markandey Gond @ Markandey Gour Son of Ramprit Gond Resident of
Village - Padari, P.S. - Jatha, District - Kushi Nagar (U.P.). At present
Resident of Village - Manjhariya, P.S. - Piprasi, Dist. - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi W/o Markandey Gond Resident of Village - Padari, P.S. -
Jatha, District - Kushinagar (U.P.), Presently residing Mazhariya, P.S. -
Piparasi, Distt. - West Champaran

.... Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Binod Kumar Yadav
For the Opposite Party/s : Mr. Rajesh Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 25-06-2015 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State.

Petitioner being husband of the opposite party
no. 2 apprehends his arrest in connection with Complaint
Case No. C-440 of 2012 in which cognizance has been taken
for the offences punishable under Sections 498A, 323 of the
Indian Penal Code, pending in the court of Additional Chief
Judicial Magistrate, Bagaha, West Champaran.



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 four weeks from the date of receipt/production of copy of this order to the court concerned and if petitioner does so, the concerned court shall release the petitioner on provisional bail for the period of four months on the day of his surrender 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 the above stated period of four months. 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 cooperative 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 cooperative

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)

SHAHZAD/-

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