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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41764 of 2014
Arising Out of PS.Case No. -59 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District- EAST CHAMPARAN (MOTIHARI)

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Surendra Kumar @ Babloo S/o Krishna Kumar Sinha @ Munsijee Resident of Mohalla Chakdiwan, Sangat Gali, P.S. Shekhpura, District Shekhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raj Kumar Prasad
For the Opposite Party/s : Mr. Renu Kumari(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 06-05-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Trial No. 4218 of 2013 Enquiry No. 09 of 2013 arising out of Complaint Case no. C-59 of 2013 registered under Sections 498(A), 406, 323 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is husband of the complainant and the present case is filed due to misunderstanding. Now, the misunderstanding has been removed and a compromise petition has already been filed in the Court of C.J.M., Motihari, East Champaran on 28.04.2015. It is also submitted that petitioner is ready to keep the complainant

with full dignity and honour.

Having considered the facts and circumstances of the case, let the above named petitioner be released on provisional bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Trial No. 4218 of 2013 Enquiry No. 09 of 2013 arising out of Complaint Case No. C-59 of 2013, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Learned trial court is directed to issue notice to the complainant and make attempt to resolve the dispute in between the petitioner and the complainant by taking all possible efforts and if the dispute is resolved, the Trial Court is directed to confirm the provisional bail of the petitioner. If the dispute is not resolved then the Trial Court will pass the order on its own merit.

(Rajendra Kumar Mishra, J.)

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