

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9387 of 2015

Arising Out of PS.Case No. -2700 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Sanjay Parit Son of Sri Sudama Parit resident of village - Narayanapur,
P.S. Bagaha, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi Wife of Sanjay Parit and daughter of Sri Ramnath Parit
resident of village - Krishna Nagar, Purbi Kargahiya, P.S. Bettiah Muffasil,
District - West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Panchanand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-03-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2700-C of 2013 corresponding to S.C.
No. 867 of 2014 registered for the offence under Sections-323,
498(A), 504 of the Indian Penal Code and Section-3/4 of Dowry
Prohibition Act.

The petitioner happens to be husband of opposite
party No. 2 and stand of the petitioner is that he is ready to keep
the opposite party No. 2 with full honour and dignity.

Learned counsel, appearing for opposite party No. 2

submits that the opposite party No. 2 is also ready to lead her conjugal life with the petitioner.

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 Sub Divisional Judicial Magistrate/concerned court, Bettiah, West Champaran 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 Sub Divisional Judicial Magistrate/concerned court, Bettiah, West Champaran in connection with Complaint Case No. 2700-C of 2013 corresponding to S.C. No. 867 of 2014.

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.

(Hemant Kumar Srivastava, J)

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