

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9359 of 2015

Arising Out of PS.Case No. -411 Year- 2012 Thana -SAHARSA COMPLAINT CASE District-
 SAHARSA

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1. Navin Kumar Sharma s/o - Rajendra Sharma Resident of village - Chakla
 Pitamber @ Tepla P.S. Gualpara Dist - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Chandrika Devi w/o - Navin Kumar Sharma, D/o - Duryodhan Sharma
 Resident of village - Kanaua p.o. - Amrita p.s. Sonbarsa Raj dist - Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha
 For the Opposite Party/s Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 09.03.2015 Heard learned counsel for the petitioner as well as
 learned Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the complainant and it appears from the contents of the complaint petition that he has solemnized his second marriage with another woman though the aforesaid accusation is completely denied on behalf of the petitioner and it is submitted that he is still ready to keep complainant with full honour and dignity.

In view of the aforesaid submission, this anticipatory bail stands disposed of with direction to petitioner to surrender before the Sub divisional Judicial



Magistrate, Saharsa/ concerned court in connection with Complaint case no. 411C/2012 within six weeks from today and seek regular bail and if petitioner does so, the concerned court shall release the petitioner on provisional bail on the day of his surrender 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.

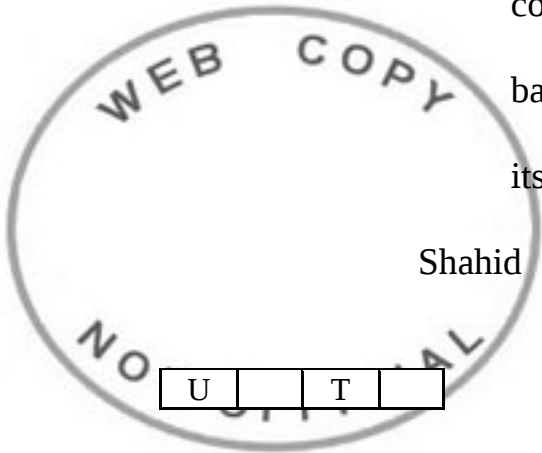
Furthermore, after being released the petitioner on provisional bail, the concerned court shall issue notice to the petitioner as well as complainant fixing a date for reconciliation and shall take all possible steps to patch up the dispute of the parties and if the concerned court comes to the conclusion that it is not possible for the parties to patch up their conjugal life, the concerned court shall take steps to resolve the dispute of the parties by way of one time settlement and if one time settlement is failed due to rigid approach of the petitioner, then, in that event, provisional bail of the petitioner shall not be confirmed by the court below and in that event, the concerned court shall pass appropriate order on the regular bail application of the petitioner without being prejudiced by this order.

It goes without saying that if attempt of one

time settlement 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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