

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3972 of 2015

Arising Out of PS.Case No. -954 Year- 2011 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Md. Eqbal Khan @ Md. Ekbal Khan

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Tiwary

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 29-01-2015 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. 954 of 2011, in which, cognizance has been taken for the offence punishable under Sections-498A,323 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 Sub Divisional Judicial Magistrate/concerned court, Dehri, Sasaram (Rohtas) 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, Dehri Sasaram (Rohtas) in connection with Complaint Case No. 954 of 2011.

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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