

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17206 of 2015

Arising Out of PS.Case No. -714 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Md. Nasrullah @ Naser Son of Md. Zeyafat Hussain Resident of Mohalla -
Nathnagar, Momin Tola, P.S. Nathnagar, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

2. Zikra Nahin (W/o Md. Narsullah @ Naser), D/o Md. Irshad Ansari
Resident of Mohalla - Ashnandpur, Nayatola, P.S. University, District -
Bhagalpur

.... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 03-06-2015

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in
connection with Complaint Case no. 714 of 2013 registered under
Sections 498A of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

Learned counsel for the petitioner submits that
the petitioner is the husband of the complainant (opposite party
no.2) and is ready to keep the complainant with full dignity and
honour. It is also submitted that prior to filing of this case,
petitioner had already filed the Matrimonial Case No. 79 of 2013
in the Court of Principal Judge, Family Court, Bagalpur for
restitution of conjugal rights.

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 Sub-Divisional Judicial Magistrate, Bhagalpur, in connection with Complaint Case No. 714 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/opposite party no. 2 and make attempt to resolve the dispute in between the petitioner and the complainant/opposite party no.2 by taking all possible efforts and if the dispute is resolved in between the petitioner and the complainant/opposite party no.2, then confirm the provisional bail of the petitioner. If the dispute is not resolved in between them, then trial Court will pass the order on its own merit.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J.)

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