

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16386 of 2015

Arising Out of PS.Case No. -96 Year- 2014 Thana -MAHILA P.S. District- BHAGALPUR

=====

1. Chan Dan Kumar @ Chandan Kumar Jha son of Suresh Jha Resident of
Purani Sarai, P.s Masudanpur, District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Shakir Ahmad(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-05-2015 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner being husband of the informant

apprehends his arrest in connection with Mahila P.S. Case No. 96

of 2014 registered for the offences punishable under Sections 506,

498A/34 of the Indian Penal Code and Section 3 of Dowry

Prohibition Act, pending in the court of Chief Judicial Magistrate,

Bhagalpur.

At the very outset, learned counsel for the petitioner

submits that petitioner is ready to resolve the disputes and he

wants to keep the informant with full honour and dignity but as a

matter of fact, it is informant, who does not want to lead her

conjugal life with the petitioner.

On contrary, learned counsel appearing for the informant refuted the above stated submissions and submits that the informant also wants to lead her conjugal life with the petitioner but as a matter of fact, it is petitioner, who used to torture her.

Considering the facts and circumstances of the case as well as submissions of the parties, this petition stands disposed of with direction to petitioner to surrender and seek regular bail before the court below within six weeks from today and if petitioner does so, the concerned court shall release the petitioner on provisional bail for the period of four months on the day of his surrender on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned court and after releasing the petitioner, the concerned court shall issue notice to the petitioner as well as informant fixing date for conciliation and shall take all possible steps to patch up the dispute of the parties within the above stated period of four months. It goes without saying that if the concerned court succeeds in his attempt, the provisional bail granted to the petitioner shall be confirmed by the concerned court itself, but if the concerned court fails in his attempt due to rigid and non

cooperative approach of the petitioner, the provisional bail granted to him shall not be confirmed by the concerned court and in that event petitioner shall be taken into custody by the concerned court. It is also made clear that the concerned court shall try to patch up the dispute of the parties even by way of one time settlement. It is needless to say that, if, the concerned court fails in his attempt due to non cooperative and rigid approach of the informant, the concerned court shall confirm the provisional bail granted to the petitioner.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--