

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29028 of 2015

Arising Out of PS.Case No. -204 Year- 2014 Thana -MAJHAHGARH District- GOPALGANJ

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1. Ramesh Sah Son of Moti Lal Sah, Resident of Village - Inderwari, P.S. -
Gopalganj, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Shanti Devi, Wife of Ramesh Sah, Resident of Village - Inderwan, P.S. -
Gopalganj, District - Gopalganj. At Present Daughter of Mohan Lal Sah,
Resident of Village Himterpur, P.S. and Post - Office Manjha Garh, District
-Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghulam Rabbani
For the Opposite Party/s : Mr. Rajendra Prasad Nat (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the informant
(opposite party no. 2) and apprehends his arrest in connection with
Manjhagarh P.S. Case No. 204 of 2014 registered for the offences
punishable under Sections 498A, 323, 406 of the Indian Penal
Code and ¾ of D.P. Act, pending in the court of Chief Judicial
Magistrate, Gopalganj.

It is submitted on behalf of the petitioner that

petitioner is ready to keep the informant with full honour and dignity.

Considering the aforesaid facts and circumstances 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 four weeks from the date of receipt/production of copy of this order to the court concerned 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 opposite party no. 2 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 needless to say that, if, the concerned court fails in his attempt due to non cooperative and rigid approach of the opposite party no. 2, the concerned court shall confirm the provisional bail granted to the petitioner.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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