

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32406 of 2014

Arising Out of PS.Case No. -1039 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Md. Alam son Shujan Miya

.... Petitioner/s

Versus

State of Bihar
Tarannum Khatoon w/o Md. Alam

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava
For the Opposite Party/s : Mr. Amit Kr.Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 09-02-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 1039 C/ of 2013 registered for the offences
punishable under Section 498A of the Indian Penal Code.

Petitioner is husband of the complainant/ opposite
party no. 2 and marriage of petitioner was solemnized with the
complainant on 12.05.2008 but later on, the relation between the
petitioner and opposite party no. 2 became strained.

The order of learned Sessions Judge shows that an
attempt to resolve the dispute of the parties was taken by the
learned Sessions Judge but due to flat refusal of opposite party no.
2 the matter could not be resolved. The contention on behalf of the

petitioner is that petitioner is still ready to keep the complainant with full honour and dignity.

In view of the aforesaid facts as well as submissions of the parties, this petition stands disposed of with direction to the petitioner to surrender before the Sub-Divisional Judicial Magistrate, West Champaran at Bettiah, in connection with Complaint Petition No. 1039C of 2013 within four weeks from today and seek regular bail and, if petitioner does so, the learned court below shall release the petitioner on provisional bail for the period of four months on the date 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 four months from the date of issuance of the above stated notice. 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 co-operative 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 co-operation and rigid approach of the opposite party no. 2, the concerned court shall confirm the provisional bail granted to the petitioner.

Namita/-

(Hemant Kumar Srivastava, J)

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