

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24596 of 2015

Arising Out of PS.Case No. -207 Year- 2014 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Devendra Kumar @ Kailu son of Nawal Prasad resident of village -
Purandarpur, P.S. - Ekangarsarai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prabha Devi daughter of Parmanand Prasad resident of village -
Ekangarsarai, P.S. Ekangarsarai, District - Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-07-2015 Heard Learned counsel for the petitioner as well as

learned Additional Public prosecutor for the State.

At the very outset, learned counsel for the petitioner
submits that petitioner is still ready to revive the matrimonial
dispute with opposite party no. 2.

Without entering into the merit of this case, this
petition stands disposed of with direction to petitioner to surrender
and seek regular bail before the court of Sub- Divisional Judicial
Magistrate, Hilsa, Nalanda in connection with Ekangarsarai
P.S.Case No. 207 of 2014 within four 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 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 and his regular bail shall be decided on its own merit. It is needless to say that, if, the concerned court fails in his attempt, due to non co-operative 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)

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