

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5419 of 2015

Arising Out of PS.Case No. -1767 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

=====

1. Sri Ram Sharma S/o Sri Ram Vilash Sharma

.... Petitioner/s

Versus

1. The State of Bihar.

2. Kanti Devi W/o Sri Ram Sharma, D/o Sanjeevan Sharma

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Ajay Kumar-Ii(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-02-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner being husband of the opposite party no. 2
apprehends his arrest in connection with Complaint Case No. 1767
of 2013 in which cognizance has been taken for the offences
punishable under Sections 498A of the Indian Penal Code and 3/4
of Dowry Prohibition Act, pending in the court of Sub Divisional
Judicial Magistrate, Saran at Chapra.

At the very outset, learned counsel for the petitioner
submits that petitioner is ready to keep the complainant (opposite
party no. 2) with full honour and dignity but complainant herself

does not want to lead her conjugal life with the petitioner. It is further contended by him that the petitioner has already filed a suit for restitution of his conjugal right.

In view of the aforesaid submissions, 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 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/-

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