

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34660 of 2014

Arising Out of PS.Case No. -562 Year- 2013 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Deepak Sharma, son of Bhola Sharma , Resident of village -
Hanshara P.S. Wazirganj ,P.O Bishunpur at District Gaya .

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi , W/o Deepak Sharma , and daughter of Rajendra
Sharma , Present Address :- Resident of village : Sadha (Mayauli) P.S. :
Sirdaulla District Hamada .

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. S.N Shukla(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is husband of the opposite party no. 2 and
according to the prosecution case, the marriage of petitioner had
taken place with the opposite party no. 2 on 26.04.2012.

At the very outset, learned counsel for the petitioner
submits that petitioner is still ready to revive the matrimonial
dispute with the 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, Nawada in connection with Complaint Case No. 562
of 2013 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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