

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10590 of 2015**

Arising Out of PS.Case No. -2710 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT  
District- WESTCHAMPARAN(BETTIAH)

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1. Sheikh Saddam @ Md. Saddam son of Md. Masiha resident of Village -  
Rakhahi, P.S. - Shikarpur, District - West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Subiya Khatoon wife of Md. Saddam alias Sheikh Saddam daughter of  
Sheikh Mustaquim resident of village - Daniyal Parsauna, P.S. - Sathi,  
District - West Champaran.

.... .... Opposite Party/s

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

2      19-03-2015                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State as also heard learned  
counsel appearing for the opposite party No. 2.

The petitioner apprehends his arrest in connection with  
Complaint Case No. 2710-C of 2012 registered under Sections-  
323, 341, 504, 498A of the Indian Penal Code and 3/4 of Dowry  
Prohibition Act.

Learned counsel for the petitioner submits that  
opposite party No. 2 is not legally wedded wife but even then, the  
petitioner is ready to settle the dispute by way of one time  
settlement.

In view of the aforesaid submissions, this petition  
stands disposed off with direction to the petitioner to surrender



and to seek regular bail before the court of learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran/concerned court in connection with Complaint Case No. 2710 C of 2012 corresponding to Trial No. 1961 of 2013 within four weeks from today and if, the petitioner does so, the concerned court shall enlarge the petitioner on provisional bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to its own satisfaction for a period of two months on the day of his surrender and after that, the concerned court shall issue notice to the petitioner as well as opposite party No. 2 fixing a date for reconciliation and shall take all possible steps to settle the dispute of the parties by way of one time settlement or by way of any other modes and if, the concerned court succeeds in his attempt, the provisional bail granted to the petitioner shall be confirmed by the concerned court.

However, it is made clear that if, the conciliation fails due to rigid approach of the petitioner, the provisional bail granted to the petitioner shall not be confirmed by the concerned court and in that event, the regular bail of the petitioner shall be decided on its own merit taking the petitioner in custody without being prejudiced by this order. It is also made clear that if, the conciliation fails due to non-reasonable demand of the

complainant, the provisional bail granted to the petitioner shall be confirmed by the concerned court itself.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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