

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1921 of 2015

Arising Out of PS.Case No. -764 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Dinesh Prasad @ Dinesh Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 16.01.2015 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint case no. 764C/2013 in which cognizance has
been taken under sections 323, 498A/34 of the IPC and
section 3/ 4 of the D.P. Act.

Admittedly, marriage of the petitioner with
opposite party no.2 was solemnized on 17.02.2009 and
opposite party no.2 led her conjugal life along with the
petitioner happily and peacefully for more than 4 years but
later on, dispute cropped up between the parties.

The contention on behalf of the petitioner is that
petitioner is still ready to keep opposite party no.2 with full
honour and dignity.



Without entering into merit of the case, this anticipatory bail stands disposed of with direction to petitioner to surrender before the Chief Judicial Magistrate, Buxar/ concerned court in connection with Complaint case no. 764C/2013 within three weeks from the date of receipt /production of a copy of this order and seek regular bail and if petitioner does so, the concerned court shall release the petitioner on provisional bail on the day of his surrender for a period of four months on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to his satisfaction.

Furthermore, after being released the petitioner on provisional bail, the concerned court shall issue notice to the petitioner as well as complainant fixing a date for reconciliation and shall take all possible steps to patch up the dispute of the parties and in the above stated attempt, if the concerned court succeeds to patch up the dispute of the parties, the concerned court shall pass order for confirmation of bail of the petitioner but if the concerned court fails due to rigid approach of the petitioner, then, in that event, provisional bail of the petitioner will not be confirmed by the court below and in that event, petitioner

shall be taken into custody and his regular bail application shall be decided by the concerned court on its own merit.

It goes without saying that if the aforesaid effort fails on account of rigid and non-cooperative approach of the complainant, the provisional bail of the petitioner shall be confirmed by the court below itself.

Shahid (Hemant Kumar Srivastava, J.)

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