

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3685 of 2015

Arising Out of PS.Case No. -2676 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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1. Md. Masik @ Masik S/o Late Anwarul Resident of village- Bairstachhi,
P.S and District- Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sufeda Khatoon D/O Md. Alimuddin, Resident of village- Damhaili,
P.S and District- Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 29.01.2015 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor for the State.

Petitioner is husband of the complainant and apprehends his arrest in connection with Complaint Case No. 2676 of 2013 in which cognizance has been taken under section 498A of the IPC.

At the very outset, learned counsel for the petitioner submits that petitioner is ready to keep complainant with full honour and dignity and talk of compromise is going on between the parties.

Taking note of the aforesaid facts and circumstances as well as submissions of the parties, this



anticipatory bail stands disposed of with direction to petitioner to surrender before the Sub divisional Judicial Magistrate, Araria/ concerned court in connection with Complaint Case No. 2676 of 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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