

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3455 of 2015

Arising Out of PS.Case No. -1359 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

Md. Barique
.....
..... Petitioner/s
Versus
State of Bihar & Anr
.....
..... Opposite Party/s
=====

Appearance :
For the Petitioner/s : Mr. Md. Musowir
For the Opposite Party/s Mr. C.Sen Pd.Singh(App)
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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 27.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with CA
case no. 1359/2013 in which cognizance has been taken under
section 498A/34 of the IPC.

Petitioner is husband of the complainant and contention
on his behalf is that he is ready to keep complainant with full honour
and dignity.

Without entering into the merit of the case, this
anticipatory bail stands disposed of with direction to petitioner to
surrender before the Chief Judicial Magistrate, Katihar/ concerned
court in connection with CA case no. 1359/2013 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.)