

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15723 of 2016

Arising Out of PS.Case No. -36 Year- 2012 Thana -SAHPUR District- PATNA

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1. Rajesh Singh Son of Umesh Singh R/o Village Nargada, P.S. Shahpur,
District Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Sona Devi D/o Surendra Choudhary R/o Village Nargada, P.S. Shahpur,
District Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-08-2016

Heard.

Earlier the prayer for anticipatory bail of the petitioner was rejected by this Court vide order dated 14.08.2013 in Cr. Misc. No. 1378 of 2013 but again anticipatory bail petition has been filed on behalf of the petitioner on the ground that petitioner is ready to settle the dispute with opposite party no. 2.

Petitioner being husband of opposite party no. 2 apprehends his arrest in connection with Shahpur P.S.Case No. 36 of 2012 registered for the offences punishable under section 341, 323, 506, 498A, 342, 379/34 of the Indian Penal Code.

Since petitioner is ready to settle the dispute with opposite party no. 2, I think it proper to direct the trial court to

release the petitioner on provisional bail if he surrenders before the trial court within four weeks from today and makes prayer for settlement.

In view of the aforesaid facts, this petition stands disposed of with direction to the petitioner to surrender before the court of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Shahpur P.S.Case No. 36 of 2012 within four weeks from today and if petitioner does so and makes prayer for settlement of the dispute with opposite party no. 2, the petitioner shall be released on provisional bail for the period of three months on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to his own satisfaction and, after that, the concerned court shall issue notice to opposite party no. 2 fixing date for conciliation and shall take all possible steps to patch up the dispute of the parties within three months from the date of release of the petitioner. 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. It is needless to say that, if, the concerned court fails in his attempt due to non co-operation 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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