

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8211 of 2017

Arising Out of PS.Case No. -584 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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1. Shah Sohail, son of Shah Kailu, resident of village: - Tarabi, P.S.: - Palasi, District: Araria.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Bibi Razda Khatoon, wife of Shah Sohail, resident of village: - Tarabi, P.S.: - Palasi, District: Araria. At present daughter of Shah Alimuddin, resident of village: Durgapur Panchayat Basouti, P.O. - Mohani, P.S.: - Palasi, District - Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate

For the Opposite Party/s : Mr. Ajay Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 21-06-2017

Heard learned counsel for the Petitioner and the

State. None appears on behalf of the Opposite Party No.2.

The Petitioner apprehends his arrest in Complaint Case No.584-C of 2014 instituted for the offence under Section(s) 498-A Indian Penal Code.

Petitioner is husband of the complainant-Opposite Party No.2.

Earlier, the matter was sent to the Mediation Centre. The report of the Mediator is available at flag-‘C’, wherein, it has been mentioned that petitioner appeared on all the dates in the mediation proceeding, but the Opposite Party No.2 did not appear on 18.05.2017 and 12.06.2017 and, therefore, mediation has failed. From the conduct of the Opposite Party No.2, it appears that she is not willing for settlement with the petitioner.



It has been submitted that the petitioner is ready to keep the Opposite Party No.2 with full dignity and care.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint Case No.584-C of 2014, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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