

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9315 of 2019**

Arising Out of PS. Case No.-731 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

SAIDUR RAHMAN Md. Zahoor Alam Police Station-Barsoi, District-
Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar and ANR Bihar
2. Samsun Nihar Saidur Rahman, D/o Kalamuddin Resident of Village-Zamira,
Police Station- Barsoi, District- Katihar at present Resident of Village -
Anantpur, P.O.-Bitiyar, P.S. - Raiganj, District- Uttar Dinajpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 29-07-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 731/2018, disclosing offences under

Section 498A/34 of the Indian Penal Code.

In view of the direction of this Court vide order
dated 24.06.2019, both the parties are present in person.

Earlier the matter was referred to Patna High
Court, Mediation and Conciliation Center, Patna for settlement
of dispute between the parties, however, the mediation between
the parties failed, as the petitioner was not ready to keep the
complainant with himself rather he desired for one time
settlement and offered Rs. 50,000/- to the complainant and her
two minor children but complainant – opposite party no. 2 was



not ready to accept this offer.

However, today, after some persuasion petitioner has shown his willingness to keep the complainant with himself with full honour and dignity as a wife on the condition that maik people of the complainant would not interfere in the family life of the petitioner, to which, the complainant also agreed and is ready to live with the petitioner.

In such view of the matter, this application is disposed of with direction to the petitioner and the complainant to appear before the concerned court below on 07.08.2019 and if the petitioner files a petition that he is ready to keep the complainant with himself with full honour and dignity and if he is willing to take the complainant with himself from the court itself, the court below shall release the petitioner on provisional bail for a period of nine months to his own satisfaction and in the meantime, the court below will watch the conduct of the parties by calling the complainant and petitioner in the first week of each month for a period of nine months and after nine months, if the court below is satisfied with the conduct of the parties, specially the conduct of the petitioner, he will confirm the provisional bail of the petitioner otherwise, he is free to pass any order as he deems fit and proper including cancellation of



bail bonds of the petitioner and at the same time, if there are laches on the part of complainant, in that situation also, the court below shall confirm the provisional bail of the petitioner.

It is made clear that no family members of the complainant – opposite party no. 2 will interfere in the family matters of the petitioner and at the same time, the petitioner will also allow the complainant – opposite party no. 2 to talk with her parents twice in a month and will allow her to visit her maikie once in three months.

(Vinod Kumar Sinha, J)

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