

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57855 of 2019

Arising Out of PS. Case No.-290 Year-2018 Thana- PUPRI District- Sitamarhi

Md. Bashir S/o Abdul Latif R/o village- Bachharpur, Ward No. 8, P.S.- Pupri,
District- Sitamarhi

... .. Petitioner

Versus

1. The State Of Bihar
2. Jainab Praveen W/o Md. Bashir R/o village- Bachharpur, Ward No. 8, P.S.-
Pupri, District- Sitamarhi

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 06-03-2020 Heard learned counsel for the petitioner, learned
counsel for opposite party no. 2 as well as learned Additional
Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Pupri P.S. Case No. 290 of 2018 registered for the offences
punishable under Sections 341, 323, 307, 498(A), 504, 506/34
of the Indian Penal Code and Section 3/4 of Dowry Prohibition
Act.

Petitioner happens to be husband of opposite party
no. 2 and there is allegation of illegal demand and torture
against him. However, in course of hearing, learned counsel
appearing for the petitioner submits that petitioner wants to keep



opposite party no. 2 with him with full honour and dignity.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition stands disposed of with direction to learned court below to extend the privilege of anticipatory bail to petitioner provisionally till 28.04.2020 on execution of bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of court concerned in connection with Pupri P.S. Case No. 290 of 2018, subject to conditions as laid down under Section 438(2) of the Cr.P.C. Furthermore, the petitioner must surrender before the court of learned Sub-divisional Judicial Magistrate, Pupri, Sitamarhi on 19.03.2020 and on the above stated date, the opposite party no. 2 shall also appear before the court below and after that the learned court below shall explore the possibility of reconciliation of dispute of the parties within a month. However, if the learned court below fails in his attempt due to rigid approach of the petitioner, the learned court below shall not extend the period of provisional bail and shall take the petitioner in custody and if regular bail application is filed on behalf of the petitioner, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this order.



Furthermore, if the learned court below fails in his attempt due to rigid and non-cooperative approach of opposite party no. 2, in that event, the provisional bail granted to the petitioner shall be confirmed by the learned court below. It is needless to say that if court below succeeds in his attempt in that event, the court below shall not only pass order of confirmation of bail of the petitioner but also take efforts to dispose of Pupri P.S. Case No. 290 of 2018 expeditiously.

(Hemant Kumar Srivastava, J)

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