

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86982 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- LODIPUR District- Bhagalpur

Md. Taslim @ Md. Taslim Ashrafi Son of Md. Quddus @ Abdul Quddush
Resident of Village - Agarpur, P.S.- Lodipur, Distt - Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Bibi Rubaida D/o Md. Ali Resident of Village - Asarpur, P.S.- Lodipur, Distt - Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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

ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State as well as learned counsel appearing for the opposite party no. 2 (informant).

Petitioner apprehends his arrest in connection with Lodipur P.S. Case No. 137 of 2019 registered for the offences punishable under Sections 323, 504, 506, 498A/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Petitioner happens to be husband of the informant and there is allegation against him that he put the informant into cruelty. However, in course of hearing, learned counsel of the petitioner submits that petitioner wants to patch up the dispute. Similarly, learned counsel appearing for the opposite party no. 2



submits that opposite party no. 2 also wants to lead her married life with the petitioner. However, learned counsel of opposite party no. 2 submits that due to poor financial position, she is not in position to come to Patna and, therefore, the lower court may be directed to take step to patch up the dispute of the parties.

In view of the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition stands disposed of with direction to petitioner and opposite party no. 2 to appear before the learned Chief Judicial Magistrate, Bhagalpur/concerned court in connection with Lodipur P.S. Case No. 137 of 2019 on 20.03.2020 in person and on appearance of petitioner, the learned court below shall release him on his personal bond and shall explore the possibilities of reconciliation of dispute of the parties within one month even by taking the matter on day to day basis. However, it is made clear that if the dispute of the parties is settled by mutual consent, the concerned court shall record the statements of both parties and shall dispose of Lodipur P.S. Case No. 137 of 2019 and if the learned court below fails in his attempt to settle the dispute of the parties due to rigid approach of petitioner, in that event the learned court below shall take the petitioner into custody and if petitioner makes prayer for regular



bail, the same shall be considered on its own merit without being prejudiced by this order. However, if the attempt of reconciliation is failed due to rigid and non cooperative approach of opposite party no. 2, in that event the learned court below shall proceed with the case without taking the petitioner into custody.

(Hemant Kumar Srivastava, J)

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