

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20590 of 2020

Arising Out of PS. Case No.-824 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Shahnawaz Alam Son of Late Mahfuj Alam Resident of Village - Chopra,
P.S.- Baisi, Dist.- Purnea.

... .. Petitioner

Versus

1. The State of Bihar
2. Aasmera Khatoon, wife of Md. Shahnawaz Alam, D/o Md. Najim Hussain,
residing at village Koltola Baluganj, P.S. Balrampur, District Katihar

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

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

ORAL ORDER

3 20-01-2021 Heard the parties.

Both parties are ready to lead their conjugal life with
each other.

Considering the aforesaid facts and circumstances,
this petition stands disposed of with direction to petitioner to
surrender before the court below in connection with Complaint
C.A. Case No. 824 of 2019 within six weeks from today and if
petitioner does so, the concerned court shall release the
petitioner on bail provisionally for the period of six months on
the day of his surrender. However, the concerned court shall
issue notice to petitioner as well as opposite party no. 2 fixing a
date for reconciliation of dispute of the parties. It is made clear



that if the concerned court fails in his attempt due to rigid and non cooperative approach of petitioner, the provisional bail granted to petitioner shall not be confirmed and the concerned court shall take the petitioner in custody and if regular bail petition is filed on behalf of the petitioner, the same shall be considered by the concerned court on its own merit. It is also made clear that if the conciliation proceeding fails due to rigid and non cooperative approach of opposite party no. 2, the provisional bail granted to petitioner shall be confirmed by the concerned court itself. It is needless to say that if the court below succeeds in his attempt to patch up the dispute of the parties, the provisional bail granted to the petitioner shall be confirmed by the court below itself.

(Hemant Kumar Srivastava, J)

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