

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63562 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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MD. AIYAJ ALAM S/o Md. Najam Uddin @ Mohammad Nijam Uddin R/o
Village- Guljarbagh Bhadauni, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. FARJANA PRAVEEN W/o Md. Aiyaj Alam, D/o Md. Alam Ansari At
present R/o Village- Bahar Gao, P.S.- Govindpur, Dist- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dilip Kumar Roy, Advocate
For the Opposite Party/s	:	Ms.Asha Kumari, APP
For the Informant	:	Mr.Amresh Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-07-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A),
323 and 406 of the Indian Penal Code read with Sections 3 and
4 of the D.P. Act.

Learned counsel for the petitioner submits that the
cognizance was taken by the learned court below under Sections
498(A) and 323 of the I.P.C. only.

Learned counsel for the informant, at the outset
submits that based on instructions, the learned counsel for the
petitioner had submitted that he is ready to keep his wife and in



this regard he wants a conciliation between him and his wife which stands recorded in the order dated 15.06.2022.

Since, the petitioner is willing to keep his wife and wants a reconciliation as such the petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. C1-28 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned counsel for the petitioner submits that he has instructions to submit that even the wife is ready and willing to stay with the petitioner as such the petitioner and the Opposite Party No.2 are directed to remain physically present before the learned court below on 10.08.2022, the learned court below will take all positive steps so that the issue between the parties gets amicably resolved.

In the event, if the learned court below comes to a conclusion that the wife is not willing to stay with the petitioner then the provisional anticipatory bail granted to the petitioner



shall stand confirmed and in the event, if the learned court below comes to a conclusion that the petitioner is not willing to keep the Opposite Party No.2 with dignity and honour then the provisional anticipatory bail of the petitioner shall stand cancelled forthwith after recording reasons.

The learned court below will make endeavours as per its own convenience, it is not that on the date when the parties appear on the same day, the issue has to be decided.

(Satyavrat Verma, J)

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