

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19014 of 2015

Arising Out of PS.Case No. -316 Year- 2011 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Pradeep Kumar Goswami S/o Nand Kishor Goswami Resident of village-
Pirwa, P.S.- salaiya, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priti Devi D/o Surendra Prasad Goswami , S/o Pradeep Kumar Goswami,
resident of Mohalla- Nichali Bazar, Rajgir, P.S.- Rajgir, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 23-09-2015 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as well as learned

counsel for the informant.

The petitioner apprehends his arrest in connection with a

case registered for the offences punishable under Section 498-A of

the Indian Penal Code.

Learned counsel for the petitioner submits that in pursuance

of an earlier compromise, the petitioner has already given a sum of

rupees two lakhs to the complainant and is willing to give rupees

one lakh which remains to be paid out of the said agreement.

Learned counsel for the complainant also states that though

his complainant has received rupees two lakhs out of the

compromise amount of rupees three lakhs arrived at between the parties, the petitioner is neither giving the remaining one lakh nor has he also deposited rupees five hundred per month as has been directed earlier by the Court below for the welfare and maintenance of the child born out of the said marriage.

Learned counsel for the petitioner, however, submits that he undertakes to give the entire amount by way of bank draft within a period of six weeks from the date of receipt/communication of a copy of this order. The amount be deposited in the Court below within the aforementioned period.

Considering the bonafide offer made by the petitioner and that he undertakes to pay the rest amount of the compromise, let the petitioner, in the event of his arrest / surrender within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Complaint Case No. 316c/2011 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

If such amounts are not received by the O.P. No. 2, the O.P. No.

2 shall take appropriate steps against the petitioner but if the same is received he shall and file a fresh compromise petition before the Court below for relieving the petitioner.

(Anjana Mishra, J)

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