

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35407 of 2019

Arising Out of PS. Case No.-4707 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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KUMAR RAHASYAM Son of Surendra Prasad Jaiswal Resident of Mohalla-
Plot No.135, 136 Green Homes Colony, P.S.- Nadergul, District- Ranga
Reddy, Telangana, Pin Code- 501510 at present R.C.I. Lab, D.R.D.O.
Hyderabad.

... .. Petitioner

Versus

1. The State of Bihar
2. Smriti Jaiswal Wife of Sri Kumar Rahasyam D/o Late Shesh Kumar
Resident of Mohalla-Shobha Niketan, 402, B. Block, Ara Garden, Jagdeo
Path, P.S.-Hawai Adda, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Chitranjan Sinha, Sr. Advocate Mr. Chandra Shekhar Kumar, Advocate Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s :		Mr.Arbind Kumar Pandey (App 84)
For O. P. No. 2	:	Mr. Ashish Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 27-09-2019 Heard learned Senior Counsel for the petitioner and

learned counsel for the informant as also learned APP for the

State.

The petitioner in the present case is seeking
anticipatory bail in Complaint Case No. 4707 (C) of 2018 in
which cognizance has been taken for the offences punishable
under Sections 498A/323 of the Indian Penal Code and Sections
3 /4 of the Dowry Prohibition Act.

Learned counsel for both the parties have informed
this Court that earlier efforts were taken by the Court to get the



matter resolved by sending the records to the Mediation Centre attached to this Court. A mediation report was also received showing that the mediation had failed. Thereafter on the last date of hearing learned Senior Counsel for the petitioner was called upon to seek instruction and make a statement as to whether the petitioner is ready and willing to pay a maintenance amount of Rs. 20,000/- which was being claimed by the opposite party no. 2 at this stage when her application for grant of maintenance is still pending consideration. Subject to the aforesaid the matter was adjourned.

Today, learned Senior Counsel for the petitioner submits that the petitioner is ready to pay the maintenance amount of Rs. 20,000/- per month at this stage subject to the outcome of the application seeking maintenance filed by the opposite party no. 2 in the court below.

Learned counsel for the opposite party no. 2 accepts this stand of the petitioner at this stage.

Considering the facts and circumstances of the case and the kind of developments which have taken place between the parties giving rise to some sort of consensus at this stage that they are looking for a settlement and in order to advance that settlement the petitioner has agreed to pay a sum of Rs.



20,000/- as maintenance for the time being subject to the result of the case , let the petitioner be named in the event of his arrest or surrender within a period of four weeks from today in connection with Complaint Case No. 4707 (C) of 2018 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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