

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60447 of 2018

Arising Out of PS. Case No.-284 Year-2017 Thana- PATNA COMPLAINT
CASE District- Patna

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Sunil Paswan S/o Radha Kishun Paswan, R/o Vill.- Amarpura, P.S.- Dulhin Bazar, District- Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. Priyanka Devi W/o Sunil Paswan S/o Ram Ishwar Paswan, R/o Vill.- Amarpura, P.O.- Lala Bhasara, P.S.- Dulhin Bazar, District- Patna at present Vill.- Telhari, P.O.- Hzarat Sain, P.S.- Dharnaure, District- Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Uday Kumar Singh, Advocate.

For the Opposite Parties: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 11-02-2019

Heard learned counsel for the petitioner, learned APP for the State as well as learned counsel for the complainant.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498(A) of the Indian Penal Code registered in connection with Complaint Case No. 284(C) of 2017.

3. It is submitted that the petitioner has been falsely implicated and in any event the dispute between the parties has since been amicably settled in terms of the mediator's report dated 06.02.2019 passed in Mediation Proceeding No. 217 of 2018. It is submitted that an amount of Rs. 55,000/- agreed to be paid by the petitioner to the opposite party no. 2 in full and final settlement for all the cases pending has since already been paid.

4. Learned counsel for the complainant appears and accepts the fact of payment of the aforesaid amount.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from



the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri B.N. Tripathi, learned Judicial Magistrate Ist Class, Masaurhi, Patna in connection with Complaint Case No. 284(C) of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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