

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60810 of 2018

Arising Out of PS. Case No.-6 Year-2015 Thana- MAHILA P.S. District- Muzaffarpur

Chandan Kumar @ Chandan Paswan son of Sri Dipu Paswan, resident of Village- Bingama, P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rekha Kumari, @ Rekha Jyoti, d/o. Late Ram Prit Paswan, r/o. Moh. Gobarsahi, (Near Prathamik Vidyalay), Post Khabara, P.S. Sadar, Dist. Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 14-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 406/34 IPC and Section 3 and 4 of the D.P.Act registered in connection with Muzaffarpur Mahila P.S. Case No.06/2015, GR No. 655/2015.

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 21.01.2019 in Mediation Proceeding No. 175 of 2018. The petitioner was required to make payment of an amount of Rs. 3,00,000/- to the OP No. 2 and for which demand draft no. 776760 dated 19.01.2019 drawn on State Bank of India has been produced by the petitioner today and the same has been handed over to learned counsel for the OP No. 2, who has accepted the same.

4. Learned counsel for the OP No. 2 has accepted the demand draft as aforesaid and undertakes that the OP No. 2 has also committed to abide by the terms of settlement.



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 learned Sub Judge 7th-cum-Additional Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Mahila P.S. Case No. 06/2015, GR No. 655/2015 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. That the petitioner shall co-operate 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)

Chandran/-

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