

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41365 of 2019

Arising Out of PS. Case No.-153 Year-2016 Thana- BATHNAHA District- Sitamarhi

PURUSHOTTAM ANAND @ PURSOTTAM ANAND @ VIPUL MISHRA,
aged about 32 years, Male, Son of Ramesh Mishra, Resident of Village-
Majhauria, P.S. Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shantanu Kumar Jha, Son of Gopal Jha, Resident of Village- Madhuahan
Vrit, PS- Rajepur, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa
For the Opposite Party/s : Mr. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 29-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 341, 323,
379, 498(A), 34 of the Indian Penal Code and Section 3(A)(B)
of Domestic Violence Act.

Informant is brother of victim who in his written
complaint has stated that his sister Rupa Kumari was married to
petitioner on 7.3.2014 and cash, ornaments and house articles
were given to the petitioner at the time of marriage, however,
the sister was being tortured for non-fulfillment of demand of



dowry as they were demanding to bring cash from her parental home. Dispute was tried to be resolved by Panchayat and from said wedlock, a female child was born and, thereafter, second child was also born. Notices were issued to opposite party and pursuant to said notice, she appeared and the matter was referred to Mediation Centre for re-conciliation and Mediation Centre which has submitted its report that dispute between the parties has been resolved through process of mediation and terms of said settlement is part of mediation report.

Considering the fact that dispute between the parties has been resolved and opposite party no.2 has started living with petitioner in her matrimonial home, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bathnaha P.S. Case No.153 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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