

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61089 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- MAHILA P.S. District- Bhojpur

Amit Kumar Son of Sachida Nand Verma, Resident of Ahirpurwa, Police
Station - Ara Town, District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar .
2. Roma Devi D/o Shashi Bhushan, R/o Mohalla Ahirpurwa, Police Station- Ara
Town, District- Bhojpur. At Present- Mohalla- Rajendra Nagar Ara, Police
Station- Ara Nawada, District- Bhojpur.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ramashray Roy, Advocate
For the State	:	APP
For Opposite Party No. 2:	:	Mr. Raj Narayan Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 20-02-2019 Heard learned counsel for the petitioner, learned APP for
the State as well as learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 498(A), 379, 504/34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act registered in
connection with Mahila P.S. Case No. 24 of 2018.

3. At the very outset, learned counsel for the petitioner
invites reference to the mediator's report in Medication Proceeding
No. 168 of 2018 recording the terms and conditions in which
amicable settlement has been arrived at between the parties. Both
parties reiterate their commitment to honour such terms and
conditions and resume a harmonious conjugal life together.

4. 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 provisional bail on furnishing bail bond of Rs.10,000/-
(ten thousand) with two sureties of like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara in connection with Mahila P.S. Case No. 24 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) That 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned court below upon compliance of the terms and conditions as recorded in the mediator's report in Medication Proceeding No. 168 of 2018 and upon restoration of harmonious conjugal life between the parties.

BT/Chandran

(Vikash Jain, J)

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