

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47099 of 2019

Arising Out of PS. Case No.-38 Year-2018 Thana- MAHILA PS District- Jehanabad

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PINTU THAKUR S/o Krishna Thakur R/o village and P.S.- Hulasganj,
District- Jehanabad

... .. Petitioner

Versus

1. The State of Bihar
2. Bigan Devi W/o Pintu Thakur Mo and p.s. Hulasganj, Distt.- Jehanabad.
At present resident of village and post- Kurre, P.S.- Ghosi, District-
Jehanabad

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Paras Nath
For the Opposite Party/s	:	Ms.Shaheen Begum
For the Opposite party no. 2	:	Mr. Bijendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 10-07-2020 Heard Mr. Paras Nath, learned counsel for the

petitioner, Mr Bijendra Kumar Singh, learned counsel for

informant/opposite party no. 2 and Ms. Shaheen Begum,

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Jehanabad Mahila P.S. Case No. 38

of 2018 dated 10.08.2018 instituted for the offences under

Sections 341, 323, 498(A) and 494/34 of the Indian Penal

Code.

The petitioner was earlier granted provisional bail



vide order dated 30.07.2019.

It has been submitted by learned counsel for the petitioner that during the pendency of this petition, a settlement has been arrived at between the parties.

However, nothing has been brought on record to substantiate the aforesaid statement.

The counsel for the informant/opposite party no. 2 has also expressed before this Court that he has received no instructions from his client with respect to the aforesaid factum of settlement.

However, taking into account the fact that this is a case under Section 498(A) of the Indian Penal Code and believing the statement made by the counsel for the petitioner that a settlement has been reached between the spouses, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Sub Divisional Judicial Magistrate, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 38 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

However while granting bail to the petitioner, the Court below shall ensure and verify whether the statement made by the counsel for the petitioner before this Court about settlement having been arrived at between the parties is correct. If this statement is not found to be true, the order shall not be given effect to and proceeding shall be initiated for cancellation of bail of the petitioner.

(Ashutosh Kumar, J)

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