

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75763 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- BARSOI District- Katihar

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Tinku Kumar Paswan @ Tinku Paswan, Son of Shyam Paswan, Resident of
Village - Maibara, P.S.- Barsoi, District - Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar Verma, Advocate
For the State	:	Mr. Ajay Kumar Jha , APP
For the Informant	:	Md. Ziaul Quamar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 31-08-2020 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

for the informant through video conferencing.

The petitioner seeks pre-arrest bail in connection with

Barsoi P.S. Case No.183 of 2019 registered under Sections 341,

323, 498A of the Indian Penal Code, Sections 3 and 4 of the

Dowry Prohibition Act.

Mr. Sanjay Kumar Verma, learned counsel for the

petitioner submitted that the entire dispute between the parties

arose out of matrimonial discord and incompatibility. However,

with the intervention of common friends and well wishers, the

parties have amicably settled their dispute outside the court.

Mr. Ajay Kumar Jha, learned counsel for the State

submitted that he does not have any instruction in this regard.



He submitted that there is allegation against the petitioner that he subjected the informant to cruelty for non-fulfillment of demand of dowry.

Mr. Ziaul Quamar, learned counsel appearing for the informant submitted that the parties have amicably settled their dispute and, at this stage, he does not want to oppose the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of offence, the allegation made against the petitioner and the submissions advanced on behalf of the parties, the application for grant of pre-arrest bail is allowed.

The petitioner is directed to be released on bail, in the event of his arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Barsoi P.S. Case No.183 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course



of proceeding of the virtual court, shall be communicated to me on my email by the Sr. Secretary.

- (ii) The corrected copy of the order shall be transmitted by me from my email id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let a copy of the order be sent to Mr. Sanjay Kumar Verma, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Sr. Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J.)

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