

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78599 of 2019

Arising Out of PS. Case No.-192 Year-2019 Thana- KALYANPUR District- East Champaran

Rakesh Jaiswal aged about 29 years, Male, Son of Late Punyadeo Prasad, Resident of Village - Bhagwatnagar, Bhaluahiya, P.S. Shikarganj, District - East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priyanka Raj aged about 28 years, (Female), Daughter of Nawal Kishore Vidharthi, Wife of Rakesh Jaiswal, Resident of Village - Bishambharpur, P.S.- Kalyanpur, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Advocate
For the State	:	Mr. Murli Dhar, APP
For the Opposite Party/s:		Mr. Gauri Shankar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 20-10-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Karandeep Kumar, learned counsel for the petitioner; Mr. Murli Dhar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State and Mr. Gauri Shankar Thakur, learned counsel for the opposite party no. 2.

3. The petitioner apprehends arrest in connection with Kalyanpur PS Case No. 192 of 2019 dated 24.07.2019, instituted under Sections 341, 323, 504, 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.



4. Earlier, the matter was sent to the Mediation Centre of the Patna High Court for amicable settlement and in compliance thereto, the parties have come to a settlement, but since the terms of the settlement were not implemented, the Court had granted time. A supplementary affidavit has been filed on behalf of the petitioner indicating that the terms of the compromise have now been fully complied with.

5. On a query of the Court to the learned counsel for the opposite party no. 2 on the stand taken by the learned counsel for the petitioner, he submitted that the parties have compromised and he has no objection if the prayer of petitioner is allowed.

6. Learned APP also submitted that the matter being dispute between husband and the wife, and the parties having compromised and the terms also being implemented, the Court may grant indulgence.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM IXth, East Champaran in Kalyanpur PS Case No.



192 of 2019, G.R. Case No. 5523 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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