

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17322 of 2020

Arising Out of PS. Case No.-1894 Year-2019 Thana- COMPLAINT CASE District- Araria

Pappu Kumar Yadav, aged about 24 years (M), Son of Laxman Prasad Yadav
Resident of Village - Dharmganj, P.S.- Palasi, District- Araria.

... .. Petitioner

Versus

1. The State Of Bihar
2. Dulari Devi aged about 22 years (F), Daughter of Ram Prasad Yadav, Wife of Pappu Kumar Yadav Resident of Village- Baradbatta, P.S.- Palasi, District- Araria.

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s :	Mr.Pradeep Narain Kumar, APP
For the Complainant :	Mr. Kumar Ravish, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8 19-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Complaint Case No. 1894C of 2019 registered for the offences punishable under Sections 498A/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per complaint petition, the complainant was married with this petitioner on 16.08.2016, she started her conjugal life, in the meantime, the petitioner and his family members started demanding Rs. Five Lakhs as dowry. On denial she was subjected to harassment and torture by the accused persons. The petitioner filed a case of separation in the family court and after



receiving notice the complainant went to the in-laws house but the petitioner refused to keep her.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits on instruction that petitioner shall pay a sum of Rs. 2500/- per month to the complainant – opposite party no. 2 until further resolution of dispute.

Learned A.P.P. for the State is present.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner and learned counsel for the complainant – O.P. No.2 agree that the matter may be sent for mediation attached to the learned court below and learned counsel for the petitioner has submitted on instruction that for the present the petitioner shall pay a sum of Rs. 2500/- per month to the complainant – O.P. No. 2 until further resolution of disputes and subject to result of any appropriate order that may be passed in any appropriate proceeding by a competent court of law, there being no opposition for grant of anticipatory bail to the petitioner, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Complaint Case No. 1894C of 2019, be released on bail on



furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Araria, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that in terms of his own statements/undertakings made before this Court the petitioner shall deposit a sum of Rs. 2500/- per month within first seven days of the month either in the account of O.P. No. 2 or in the learned court below which will be allowed to be withdrawn by O.P. No. 2 from the court below. Such deposit shall be subject to result of any order which may be passed in an appropriate proceeding by a competent court of law and the payment



towards the month of January, 2021 shall be deposited while submitting the bail bond of the petitioner within the stipulated period.

Any default in making the payment as aforesaid, liberty is granted to O.P. No. 2 to file an appropriate application before this Court for cancellation of bail bond of the petitioner.

As agreed between the parties, let the learned court below refer the matter to the Mediation Centre attached to the learned court where both the parties will sit together and resolve their disputes amicably.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

