

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27524 of 2020

Arising Out of PS. Case No.-357 Year-2018 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Ankaj Kumar S/o Kamlesh Prasad Chandravanshi Resident of Village-Shekhpora, P.S.-Goh, District-Aurangabad.

... .. Petitioner

Versus

1. The State of Bihar
2. Sushma Kumari W/o Ankaj Kumar Resident of Village-Shekhpora, P.S.-Goh, District-Aurangabad, At present address-resident of village-Goriyari, P.S-Parasi, District-Arwal.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Parwej Khan,Advocate
For the State	:	Mr.Md.Fahimuddin,APP
For the O.P. No. 2	:	Mr.Sanjay Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-01-2021 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. 357 of 2018 registered for the offences punishable under Sections 323 & 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

It is the agreed view between the parties that they will be seeking resolution of dispute before the mediation centre attached to the learned court below for purpose of entering into one time settlement. Learned counsel for O.P. No. 2 is not opposing the prayer for anticipatory bail of the petitioner.



Learned counsel for the petitioner has submitted on instruction from the petitioner that till such settlement takes place either amicably or in accordance with law, subject to any order which may be passed in an appropriate proceeding by the competent court of law, the petitioner shall pay a sum of Rs.2500/- per month to O.P. No. 2. Such payment will be made to O.P. No. 2 within first seven days of every month either by way of transfer in her account electronically or by depositing bank draft or cash, as the case may be, in the learned court below which will be allowed to be withdrawn by O.P. No. 2 forthwith.

In the aforesaid view of the matter, 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. 357 of 2018 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 Shri Madhwendra Singh, Sub-Divisional Judicial Magistrate, Arwal, 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 statement, the petitioner shall pay a sum of Rs.2500/- (Twenty Five Hundred Only/-) per month to O.P. No. 2 within the stipulated period and subject to result of an appropriate proceeding before a competent court of law, failing which the O.P. No. 2 shall take steps for cancellation of bail of the petitioner.

The application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

