

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3631 of 2022

Arising Out of PS. Case No.-68 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SANDEEP PRASAD BARANWAL @ SANDEEEP KUMAR Son of Saroj Prasad Barnwal @ Sanoj Prasad Barnwal @ Saroj Kumar Resident of Mohalla- Kalibag (Near- Rajendra Nagar Colony) Ward No.4, P.S.- Kalibag O.P. Naka No.3, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Kumar @ Sangita Devi @ Archana Kumar W/o Sandeep Prasad Baranwal @ Sandeep Kumar Resident of Mohalla- Kalibag (Near- Rajendra Nagar Colony) Ward No.4, P.S.- Kalibag O.P. Naka No.3, District- West Champaran. Daughter of Virendra Prasad at present Resident of Village- Ramgarhwa Kathi Road, P.S.- Ramgarhwa, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-11-2022 Learned counsel for the petitioner is permitted to remove the defect (s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A) of IPC and Sections 3/4 of D.P. Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of demand of



dowry.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the petitioner is husband of the complainant and allegation as alleged in the FIR is false and fabricated.

Vide order dated 10.08.2022 the matter was referred to the Patna High Court Mediation and Conciliation Center for resolving the dispute between the parties.

The report dated 13.10.2022 of the learned Mediator reveals that due to non-appearance of opposite party No.2 i.e. the complainant, the mediation could not proceed. Hence, mediation has failed.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No. 68 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure



and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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