

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11585 of 2022

Arising Out of PS. Case No.-27 Year-2021 Thana- MAHILA P.S. District- Bhojpur

JITENDRA KUMAR Son of Chandeshwar Ram Resident of Village - Lasari,
P.s.- Agiawan Bhojpur, Distt.- Bhojpur, Presently Resident at Village
Jamuniya, P.S.- Sahodra, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SONAM KUMARI @ SONAM DEVI D/o Dilip Kumar Resident of Village
- Harpur, P.S.- Chauri, Distt.- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate
For the Opposite Party/s : Mr.Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-12-2022 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, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
323,313,498(A),504,34 of IPC.

The prosecution case, in short, is that allegation
against the petitioner is that he started putting demand of Bolero
vehicle stating that he was earning 30 lakh Rupees yearly and



told that he will throw the informant out of the house and do a second marriage if he does not get the Bolero vehicle.

Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that in fact the petitioner is is husband of the informant.

Vide order dated 16.09.2022 the matter was referred to the Patna High Court Mediation Centre for amicable solution of the dispute between the parties.

The mediation report dated 06.12.2022 reveals that the dispute between the parties has already been resolved through the process of the mediation and as per the term of settlement, the petitioner is ready to pay Rs. 8,000/- to the informant in the 1st week of every month regularly and the Bank details of the informant is as follows:

Name of the account Holder: Sonam Kumari @
Sonam Devi. Bank Account No.41494793624. IFSC Code-
10770.

Considering the aforesaid facts, 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 Bhojpur Mahila P.S. Case No. 27 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) The petitioner shall deposit a sum of Rs. 8,000/- regularly in the 1st week of every month to the informant in the abovementioned Account, failing which the informant shall be at liberty to move for cancellation of bail bond of the petitioner.

(2) 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.

(3) 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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