

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23663 of 2021

Arising Out of PS. Case No.-244 Year-2019 Thana- DARIYAPUR District- Saran

=====

OSIYAR KUMAR @ OSIHAR KUMAR Son of Sitaram Singh Resident of
Village - Barka Dharmchak, P.O.- Mastichak, P.S.- Dariyapur, District -
Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijeta Devi Wife of Osihar Kumar D/o Sri Sushl Kumar Singh, Resident of
Village - Barka Dharmchak, Post- Masticha, P.S.- Dariyapur, District -
Saran, At present Resident of Village - Kasimpur, P.S.- Amnour, District -
Saran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Advocate
For the Opposite Party/s : Mr.A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 29-11-2022 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

341,323,379,504,498(A)/34 of IPC and Section 3/4 of D.P.Act.

Learned counsel for the petitioner submits that the

petitioner has clean antecedent. He has falsely been implicated

in the present case.



Vide order dated 14.02.2022, the matter was referred to the Mediation Committee, Patna High Court, Patna to settle the dispute. The learned Mediator sent the report vide letter dated 23.11.2022 in which he categorically stated that the dispute between the parties has been resolved.

In view of the aforesaid fact, 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 Dariyapur P.S. Case No. 244 of 2019, 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)

Nitesh/-

U		T	
---	--	---	--

