

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20388 of 2022

Arising Out of PS. Case No.-241 Year-2021 Thana- SHAMBHUGANJ District- Banka

1. ABHINAW KUMAR JHA @ ABHINAV KUMAR S/o Kailash Jha R/o village- Birnaudha, P.S.- Shambhuganj, District- Banka
2. Kailash Jha S/o Late Murlidhar Jha R/o village- Birnaudha, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Diksha Kumari D/o Shubhkant Jha R/o village- Kadrachak, P.S.- Shambhuganj, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 498(a), 504, 506 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He submits that petitioner is ready to pay Rupees 4,00,000/- (Rupees Four Lakhs) by way of one time settlement and this proposal is also accepted by learned counsel for the opposite party no.2. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on provisional bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shambhuganj P.S. Case No. 241 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Learned counsel for the petitioner is agreed to pay Rs. 2,00,000/- (Rupees two lakhs) to the opposite party no.2 within three months and after three months the learned court below shall confirm the provisional bail of the petitioner after verifying the fact that Rs.2,00,000/- has been paid to the



opposite party no.2. Rest amount will be given to the opposite party no.2 when the divorce with mutual consent shall be given to each other. Both the parties are agreed to file divorce case with their mutual consent within one month after confirmation of bail bond of the petitioner. Thereafter, the petitioner will pay the rest amount to the tune of Rs.2,00,000/- to the opposite party no.2 within three months after finalization of the divorce case.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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