

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50395 of 2022

Arising Out of PS. Case No.-979 Year-2021 Thana- COMPLAINT CASE District- Araria

Md. Ravesh Alam @ Md. Rabbesh Son Of Md. Jahangir @ Md. Jagir R/O
Village - Purwari Jhirwa Ward No.-02, P.S.- Simraha, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manira Khatoon D/O Rahmat R/O Village - Purwari Jhirwa Ward No.-10,
P.S.- Simraha, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the Informant	:	Mr. Gopal Kumar Jha, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-11-2022 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner, learned counsel appearing on behalf of the informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A) of the Indian Penal Code.

Petitioner is husband of the complainant. Allegation is of demand of dowry and torture for the same

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that it appears from the complaint petition that there is general and omnibus allegation against the petitioner and the petitioner has never made any demand of dowry from the complainant. He further submits that the petitioner is ready to keep his wife with full honour, dignity, love affections and a statement in this regard has already been made in paragraph-10 of the petition.

Learned counsel for the informant submits that since the matter relates to matrimonial dispute and the informant is ready to explore the possibility of settlement and, therefore, the matter may be referred to the District Mediation Centre, Araria.

Learned counsel for the petitioner submits that the petitioner is also ready to explore the possibility of settlement.

In view of the statement of the parties, the parties are directed to appear before the District Mediation & Reconciliation Centre, Araria on 08.12.2022. The learned Mediator will explore the possibility of settlement between the parties and submit its report within a period of one month before the learned Court below.

Considering the aforesaid facts and circumstances, 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 anticipatory bail provisionally on furnishing bail bond of Rs. 10,000/- (Rupees 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. 979C 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) 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

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

(3) 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 her criminal antecedent, 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.

(4) It is made clear that the learned court below shall confirm the bail bonds of the petitioner after disposal of the Mediation proceedings.

(Rajesh Kumar Verma, J)

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