

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58240 of 2022

Arising Out of PS. Case No.-709 Year-2001 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Jit Paswan @ Jitendra Paswan @ Jitu Paswan Jhigan S/o- Late Jhigan
Paswan, R/o Village- Tikulia, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ful Kumari Devi W/o- Jitu Paswan, R/o Village- Navi Arwa, P.S.-
Turkauliya, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for opposite party
no.2.

The petitioner seeks regular bail in connection with
Complaint Case No. C-709/2001, lodged under Sections 323,
406, 454, 498(A)/34 of the Indian Penal Code read with Section
3/4 of D.P. Act.

On the joint request of parties, petitioner is directed to
be released on provisional bail for entering into a settlement.

Learned counsel for the petitioner submits that the

case is running at the stage of evidence before charge and petitioner is ready to keep his wife.

Learned counsel for the opposite party no.2 submits that opposite party no.2 shall not live together but the petitioner shall provide money to live for her separate accommodation.

Without entering into the merit or demerit of the case, let the petitioner above named, be granted **provisional bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Complaint Case No. C-709/2001, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of

furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

The Court either himself or through mediation center refer this matter for conciliation.

The report of conciliation shall be received within 60 days and if the settlement takes place, the bail bond shall be confirmed and, if not, the Trial Court is directed to take appropriate steps in accordance with law.

With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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