

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87406 of 2019

Arising Out of PS. Case No.-2071 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

=====

AVINASH KUMAR Son of Sri Shankar Swami Resident of Village -
Ratanpur, P.O. and P.S.- Begusarai, District - Begusarai... .. Petitioner/s
Versus

1. The State of Bihar
2. Rashmi Kumari Wife of Avinash Kumar Village - Ratanpur, P.O.- Begusarai,
P.S.- Begusarai, District - Begusarai present address R/o daughter of Late
Ram Swarath Singh, Mohalla - Srikrishna Nagar, Road No. 23, North
Mandiri, P.S.- Budha Colony, District - Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ujjawal Bhushan, Advocate
	:	Mr.Binoy Kumar, Advocate
For the Opposite Party/s	:	Mrs.Renuka Ratnakar, APP
For the Informant	:	Mr. Vinod Pandey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

18 06-12-2022 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 Section 498A of
IPC.

The prosecution case, in short, is that the allegation
against the petitioner is of committing torture upon the victim
due to non-fulfillment of demand of dowry.

In view of the mediation report dated 01.11.2022,
learned counsel for the petitioner is handed over the demand
draft of Rs. 2,00,000/- (Two Lacs) to the learned counsel for the



informant.

Learned counsel for the informant undertakes that he will file the joint withdrawal petition and honour the terms and conditions of the learned Mediator.

In view of the aforesaid development and report of the learned Mediator, 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 Complaint Case No. 2071 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	
---	--	---	--

