

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4203 of 2022

Arising Out of PS. Case No.-21 Year-2020 Thana- KOCHAS District- Rohtas

Mithilesh Kumar Tiwari @ Mithlesh Tiwari @ Mithlesh Kumar Tiwari S/O
Dinesh Tiwari R/O Village- Jagdishpur, P.S.- Kochas, District- Rohtas At
Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 05-04-2023 Heard Mr. Jitendra Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Jagdhar Prasad,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Kochas P.S. Case No. 21 of 2020 registered under Sections
341, 323, 504, 506 and 498(A) of the Indian Penal Code and
Section 3/4 of Dowry Prohibition Act.

3. Learned counsel for the parties inform that the
parties(couple) have agreed for one time settlement. Petitioner
agrees to pay Rs. 10 lakhs to the Opposite Party No. 2 who is
his wife and has already paid Rs. 3 lakhs to the Opposite Party
No. 2 and seeks for protection for arranging the remaining
amount within time.

4. Considering the submission made on behalf of the



petitioner that pursuant to one time settlement, petitioner has already paid Rs. 3 lakhs out of Rs. 10 lakhs in the account of the Opposite Party No. 2 on 03.04.2023 and by 30.06.2023. In terms of the undertaking given by him in the joint agreement, he is now required to make payment of Rs. 7 lakhs in two installments. It would be in the interest of the parties that, the petitioner, who has already been given interim protection by this Court vide order dated 11.10.2022, I am of the opinion that the petitioner has prima facie made out a case to be released on pre-arrest bail.

5. Let the above named petitioner be released on provisional bail till 30.06.2023, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000 with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Rohtas, Sasaram in connection with Kochas P.S. Case No. 21 of 2020. If the petitioner deposits remaining amount of Rs. 7 lakhs in terms of the agreement entered into with the Opposite Party No. 2 within the aforesaid period, the provisional bail of the petitioner shall be made absolute on such terms and conditions as the Court below deem it fit and proper and the conditions as laid down under Section 438(2) of the



Cr.P.C.

6. The parties are at liberty to avail appropriate remedy in accordance with law.

7. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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