

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15982 of 2021

Arising Out of PS. Case No.-130 Year-2019 Thana- MAHILA P.S. District- Bhojpur

Chandan Ram, Son of Butan Ram, Resident of Village- Tetariya Ekauna, P.S.-
Udawanagar, District- Bhojpur, Ara.

... .. Petitioner

Versus

1. The State of Bihar
2. Radhika Devi, Wife of Chandan Ram, Daughter of Ram Lal Ram, Resident
of Village- Chhotaki Sanadiya, P.S.- Ara Mufashil, District- Bhojpur, Ara.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Navin Kumar Singh, Advocate
For the State	:	Mr. Mohammad Arif, APP
For the O.P. No. 2	:	Mr. Maya Shankar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 13-12-2023 Heard learned counsel for the petitioner and learned
counsel for the opposite party no. 2 as also learned APP for the
State.

2. The petitioner in this case is seeking pre-arrest bail
in connection with Bhojpur Mahila P.S. Case No. 130 of 2019
registered for the offences under Sections 323, 498A, 504, 506
of the Indian Penal Code and Section 3 and 4 of the Dowry
Prohibition Act. He has no criminal antecedent.

3. As per the prosecution story, on 09.06.2010, the
petitioner was married to the informant and after marriage, the
petitioner started demanding Rs.1,00,000/- and a motorcycle. It
is further alleged that the informant has two daughters and one
son out of the said wedlock and she along with her children has

been ousted from her matrimonial house.

4. Earlier, the records were sent to the mediation center attached to this Court where both the parties have mutually settled their disputes. The mediation report is kept at Flag 'M'. Together with the report, there is a copy of the terms and conditions of the compromise.

5. Learned counsel for the petitioner and learned counsel for the opposite party no. 2 both have confirmed that now opposite party no. 2 is living in her *sasural*, however, at this stage, learned counsel for the opposite party no. 2 submits on instruction that the petitioner is still neglecting his wife in the *sasural* and is not maintaining her properly.

6. Having regard to the facts and circumstances of the case, the fact that opposite party no. 2 is now living in her *sasural*, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above-named shall be released on bail in connection with Bhojpur Mahila P.S. Case No. 130 of 2019 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Ara, Bhojpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the learned court below shall keep on monitoring the conduct of the petitioner from time to time and it will be open for the opposite party no. 2 to report to the learned court about any torture meted out to her by the petitioner at any point of time.

8. 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 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.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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