

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10969 of 2023

Arising Out of PS. Case No.-826 Year-2021 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Manish Singh @ Manish Kumar Singh S/O Ram Krishn Singh Resident of
Village- Dumra, P.S.- Ara Mufassil. District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Devi W/O Not Given Resident of Village- Bhel Dumra, P.S.- Ara Mufassil, District- Bhojpur at present Residing Hare Krishna Singh, Resident of Village- Bakhorapur, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s	:	Ms. Anita Kumari, APP
For the Complainant	:	Mr. Raju Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-10-2023 Heard Mr. Shiv Prasad Gupta, learned counsel for the petitioner, Mr. Raju Kumar Singh, learned counsel appearing on behalf of the complainant as well as Ms. Anita Kumari, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 826C of 2021 for the offences punishable under Sections 498A, 354B, 312/34 of the Indian Penal Code but the learned Court has taken cognizance under Section 498A of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. According to prosecution case, this complainant



was subjected to cruelty due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offences as alleged in the complaint petition.

5. Vide order dated 01.08.2023 the matter was referred to the Mediation Centre, Patna High Court for settlement of dispute between the parties. Report of the learned Mediator dated 17.10.2023 reveals that the dispute between the parties could not be resolved. Hence, mediation has failed.

6. Learned counsel for the petitioner submits that despite the mediation has failed, the petitioner is ready to settle the dispute and he has offered Rs. 5,50,000/- to the complainant as a compensation for one time settlement.

7. The learned counsel appearing on behalf of the complainant on instruction submits that she is not ready to compromise with the petitioner and she wants Rs. 20,00,000/- as compensation for one time settlement.

8. Considering the aforesaid facts and circumstances,



let the petitioner, above named, in the event of 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 the learned Sub Divisional Judicial Magistrate, Bhojpur at Ara in connection with Complaint Case No. 826C of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

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