

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14659 of 2023

Arising Out of PS. Case No.-584 Year-2022 Thana- ARARIA District- Araria

Babul @ Margoob @ Margoob Alam S/o Mustakim R/o Village- Budhia
Ekhtmarpur ward no. 5, P.S.- Sarsi, Distt- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pammi Khatoon D/o Farooque, R/o Village- Kasaila ward no. 02, P.S.-
Madanpur (O.P.), Distt- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Gopal Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as Mr.
Suresh Prasad Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Araria (Baigachhi) P.S. Case No. 584 of 2022,
F.I.R. dated 13.07.2022 for the offences punishable under
Section 498(A) of the Indian Penal Code and Section 3/4 of the
D.P. Act.

3. According to prosecution case, all the accused
persons including the petitioner started torturing and harassing
the informant for demand of Rs. 5 lacs as dowry. It is further
alleged that the petitioner has deserted the informant.



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 pursuant to the order dated 24.05.2023 the matter has been placed before learned Mediator and the report of the learned Mediator dated 17.08.2023 suggests that the dispute between the parties has been resolved and as per the term and condition which is attached with the mediation report, the matter has been settled between the parties.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have no objection in this regard.

6. Considering the aforesaid facts and circumstances as well as the report of the learned mediator, 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 Chief Judicial Magistrate, Araria in connection with Araria (Bairgachhi) P.S. Case No. 584 of 2022, 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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