

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.35569 of 2023**

Arising Out of PS. Case No.-37 Year-2022 Thana- MAHILA PS District-  
Jamui

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SACHIN KUMAR Son of Brahdeo Das Resident of village - Mohanpur, P.S. -  
Laxmipur, Distt. - Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Suman Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
ORAL ORDER

4      11-10-2023                      Heard Mr. Amrendra Kumar, learned counsel for  
  
the petitioner and Mr. Suman Kumari Singh, learned A.P.P. for  
  
the State and also learned counsel for the informant.

The petitioner apprehends his arrest in connection  
  
with Jamui Mahila P.S. Case No. 37 of 2022 registered for the  
  
offence under Sections 498(A), 323, 313, 506/34 of the  
  
Indian Penal Code and Section 3/4 of the Dowry Prohibition  
  
Act.

The informant is subjected to mental and physical  
  
torture on account of non-fulfillment of demand of dowry at  
  
the instance of the petitioner and other accused persons and  
  
she has been ousted from her matrimonial home.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that it is apparent from the F.I.R. that there is general and omnibus allegation against the petitioner and no specific allegation is attributed to the petitioner. He further submits that the petitioner has never demanded any dowry from the family members of the informant nor he has tortured the informant in any manner.

It appears from the order dated 30.08.2023, on the request of parties, the matter was referred to the Mediation and Conciliation Center, Patna High Court, Patna for settlement of dispute between the parties and both the parties are directed to appear before the Mediation and Conciliation Centre, Patna High Court on 26.09.2023 and the learned Mediator in compliance of the order dated 30.08.2023, has submitted its report which reveals that despite best and sincere efforts, mediation between the parties could not succeed.

Learned counsel for the petitioner is ready to give Rs. 3000/- per month to the informant as maintenance till



the disposal of maintenance case if she files.

Learned counsel for the informant out-rightly submits that the complainant is not ready to accept the offer of Rs. 3000/- as against maintenance.

Considering the facts and circumstances of the case, let the, above named, petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, 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 S.D.J.M., Jamui in connection with Jamui Mahila P.S. Case No. 37 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.



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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