

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50938 of 2023

Arising Out of PS. Case No.-903 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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KAMLESH PAL Son of Late Maniraj Pal Resident of village - Dhawahiya
(Bhedihari Tola), P.S. - Dhanha, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Radhika Devi Wife of Kamlesh Pal Resident of Village- Dhawahiya
(Bhedihari Tola), P.s-Dhanha, District- West Champaran Present Residing at
Villae-Ghewrahi, P.s-Dhanha, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sharma, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-10-2023 Heard Mr.Suresh Prasad Sharma, learned counsel for

the petitioner, learned counsel for the informant and Mr.Binod

Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.903C of 2022 arising out of
Tr.No.4824 of 2022 registered for the offences punishable under
Sections 323, 498(A) of IPC.

3. Allegation against the petitioner and other co-
accused persons is of committing torture upon the victim due to
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent. He has falsely been implicated



in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition.

5. Vide order dated 18.08.2023, the matter was referred to the Mediation Center of the Patna High Court for settlement of the dispute between the parties and the report of the Mediator dated 09.10.2023 reveals that the dispute between the parties have been resolved and both the parties have signed the agreement on 09.10.2023 which is annexed with the Mediation Report.

6. Learned counsel for the complainant supports the contention of the petitioner and submits that now the matter has been resolved between the parties.

7. Considering the aforesaid facts, let the petitioner, above named, in the event of his 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 learned Sessions Judge Camp Court, Bettiah, West Champaran in connection with Complaint Case No.903C of 2022 arising out of Tr.No.4824 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/her absence on two consecutive dates without sufficient reason, his/her bail bonds shall be cancelled by the Court below.

(II) If the petitioner tamper 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/her criminal antecedents, 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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