

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44422 of 2022

Arising Out of PS. Case No.-353 Year-2021 Thana- KESARIA District- East Champaran

Chandan Kumar Singh Son of Rajeshwar Singh Resident of village-
Gavandri, P.S- Kesariya, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Muskan Kumari Daughter of Late Bashisht Singh Resident of village-
Saraiya, P.S- Kotwa, Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP
For the Informant	:	Mr. Pravin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-10-2023 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner, Mr. Pravin Kumar, learned counsel appearing on

behalf of the informant as well as Mr. Surendra Prasad Singh,

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Kesariya P.S. Case No. 353 of 2021, F.I.R.
dated 07.10.2021 for the offences punishable under Section
498A of the Indian Penal Code and Sections 3/4 of the D.P. Act.

3. According to prosecution case, this petitioner used
to assault the informant due to non-fulfillment of demand of a
car and also ousted the informant from her matrimonial house.

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 F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that during the pendency of this bail petition both the parties have entered into a compromise and now the matter has been settled.

5. The learned counsel appearing on behalf of the informant on instruction submits that the matter has been settled between the parties.

6. Considering the aforesaid facts and circumstances and the submissions made by learned counsel appearing on behalf of the informant, 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, Motihari, East Champaran in connection with Kesariya P.S. Case No. 353 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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