

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56202 of 2023**

Arising Out of PS. Case No.-397 Year-2022 Thana- RAJAON District- Banka
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SUMAN KUMAR Son of Suresh Harijan Resident of Village-Kathchatar,
P.S.-Rajaun, Distt-Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 13-12-2023 Heard Mr. Swapnil Kumar Singh, learned counsel

for the petitioner and Mr. Mukesh Kumar Singh, learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Rajaun P.S. Case No. 397 of 2022 registered for the
offence under Sections 341, 323, 498A, 504/34 of the Indian
Penal Code.

The case relates to matrimonial dispute between
the petitioner and his wife.

Pursuant to the order dated 31.08.2023, the matter
was referred to the Mediation and Conciliation Center, Patna
High Court and the learned Mediator has submitted his
report dated 02.11.2023, from which it appears that dispute



between the parties has been resolved through the process of mediation on the basis of an agreement containing the terms and conditions which is annexed to the report of the Mediator.

Learned counsel for the parties have also submitted that the parties have settled their dispute by way of mediation.

In view of the fact that the parties have settled their dispute by way of mediation, 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 C.J.M., Banka in connection with Rajaun P.S. Case No. 397 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.

(3) One of the bailor shall be the informant, namely, Sudama Kumari.

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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