

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67678 of 2022

Arising Out of PS. Case No.-859 Year-2019 Thana- VAISALI COMPLAINT CASE District-
Vaishali

=====

VIKESH KUMAR @ VIKASH KUMAR S/O Baleshwar Sah Resident of
village- Mariyari, P.S.- Sakara, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRITI KUMARI W/O Vikesh Kumar Resident of village- Mariyari, P.S.-
Sakara, District- Muzaffarpur, at present residing at Village- Bhagwanpur,
Khazuri, P.S.- Baligaon, District- Vaishali.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Neerad Prashar, Advocate
		Mr. Ajay Kumar Singh, Advocate
For the State	:	Mr. Satyendra Narayan Singh, APP
For the Informant/s	:	Dr. Bipin Chandra, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 5 17-04-2023 1. Let the defect(s), if any, pointed out by the office be

removed within four weeks from the date of this order, failing

which the matter be listed again under the appropriate heading

for necessary action.
2. Heard learned counsel for the petitioner, learned

counsel for O.P. No. 2 and learned APP for the State.
3. At the outset, learned counsel for the petitioner is

permitted to make necessary amendments in Paragraph Nos. 5

and 7 of the supplementary affidavit with regard to the sum

which is to be paid by the petitioner to the complainant as per

the terms of one time settlement.



4. Petitioner seeks regular bail in connection with Complaint Case No. 859(c) of 2019 registered for the offences punishable under Section 498(A)/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

5. It is submitted by learned counsel for the petitioner that both the petitioner and the complainant who happens to be the wife of this petitioner have compromised and they have agreed in respect of permanent *Alimony* and in this regard the petitioner has filed his supplementary affidavit disclosing the terms and conditions of one time settlement. Learned counsel for the informant is also agree in respect of the said settlement. Further submission is that the petitioner has been languishing in jail since 23.05.2022 and in view of the said compromise, a lenient approach should be taken in respect of the petitioner's prayer.

6. The above-mentioned prayer has not been opposed by learned counsel for the informant as well as learned APP for the State.

7. Considering the above submissions, let the petitioner named-above be enlarged 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., Vaishali at



Hajipur in connection with Complaint Case No. 859(c) of 2019.

8. The petitioner shall be bound with the terms and conditions of the settlement of which details are mentioned in the supplementary affidavit filed by the petitioner.

(Shailendra Singh, J.)

maynaz/-

U		T	
---	--	---	--

