

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74932 of 2023

Arising Out of PS. Case No.-589 Year-2023 Thana- BARACHATTI District- Gaya

Awadhesh Kumar S/O Arjun Ram @ Late Arjun Das Village- Raghunathpur,
Ps. Haspura, Dist. Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Barachatti P.S. Case No. 589 of 2023 dated 24.06.2023 lodged under Sections 341, 323, 498A, 504, 377/34 of the I.P.C. read with Section 3/4 of the D.P. Act.

3. As per the prosecution case, the F.I.R. has been lodged against 4 named accused persons including the present petitioner in which the allegation of Section 498A of I.P.C., dowry demand along with other provisions of I.P.C. are there.

4. Learned counsel for the petitioner submits that the marriage was solemnized between the petitioner and informant in the year 2022 and just after marriage, the matrimonial relation are not very happy and threat always used to come from



the side of the informant to file false case against the family members and due to this reason, a case has been filed by the petitioner's side which is Annexure-2 of the bail application.

5. Counsel for the petitioner submits that petitioner is in custody since 11.08.2023 having clean antecedent.

6. Counsel further submits that if informant is ready to live happily then petitioner is also ready to reside with his wife. Counsel also submits that petitioner is in service and there is no chance of his absconding.

7. Learned counsel for the State opposes the prayer for bail and submits that a conciliation is necessary to be taken in such type of cases.

8. It transpires to this Court that conciliation can be made even after grant of bail.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,-II, Daudnagar, Aurangabad in connection with Barachatti P.S. Case No. 589 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

10. However, the Trial Court is directed to conduct the conciliation either himself or before expert mediator as earliest as possible.

(Dr. Anshuman, J.)

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