

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74563 of 2022

Arising Out of PS. Case No.-1712 Year-2019 Thana- COMPLAINT CASE District- Banka

Daya Nand Jha Son of Late Kamleshwar Jha Resident of Village- Golhatti,
P.S.- Bounsi, District- Banka, Present residence S. O.- 22, Sridhar Rai Road,
P.S.- Tiljala, Kolkatta- 700039 (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guddi Jha Resident of Village- Golhatti, P.S.- Bounsi, District- Banka,
present address- Rajendra Mistri at Village- Kairi, P.S.- Bounsi, District-
Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Aditya Nath Pandey, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the O.P.No.2	:	Mr. Ajay Mukherjee, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the O.P.No.2.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Complaint Case No.1712© of 2019 registered for the offences punishable under Sections 498(A)/34 and 379/34 of the Indian Penal Code in which after enquiry the learned Magistrate took cognizance under Sections 498A and 323 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. Earlier the case was referred to the mediation centre of this Court for finding out of an amicable settlement of the

dispute.

4. The mediation report is at Flag 'M', according to which, the parties have settled their disputes amicably.

5. Learned counsel for the petitioner as well as learned counsel for the opposite party no.2 submits that now both the parties are living together and as such the opposite party no.2 would have no opposition to the present application of the petitioner.

6. Having regard to the aforementioned facts and circumstances of the case, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Complaint Case No.1712© of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that in terms of settlement, the petitioner shall keep the opposite party no.2 with him with full dignity and care.

8. 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.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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