

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8236 of 2024

Arising Out of PS. Case No.-45 Year-2023 Thana- MAHILA PS District- Buxar

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NANDJEE YADAV @ NANDJI YADAV SON OF MOHAN YADAV R/O-
AATHAR, P.S.-VASHUDEVA (O.P), DISTT.-BUXAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. PINKI DEVI WIFE OF NANDJEE YADAV @ NANDJI YADAV D/O-
HARI JEE YADAV, R/O-PADRHI, P.S.-BUXAR INDUSTRIAL, DISTT.-
BUXAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mohit Shriwastava, Advocate
For the Opposite Party/s	:	Dr. Kamal Deo Sharma, Advocate
For the State	:	Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-09-2024 Heard Mr. Mohit Shrwastava, learned Counsel for

the petitioner, Dr. Kamal Deo Sharma, learned Counsel for the

informant and Mrs. Pushpa Sinha-1, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Buxar Mahila P.S. Case No. 45 of 2023/G.R.
No. 2580 of 2023, F.I.R. dated 20.08.2023 registered for the
offences punishable under Sections 323, 498(A), 494, 506,
313/34 of the Indian Penal Code.

3. According to prosecution case, petitioners along
with others are said to have harassed and assaulted the



informant on non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the basis of suspicion. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Vide order dated 28.06.2024, the matter was referred to the Patna High Court Mediation Centre for settle the dispute between the parties. As per report of the learned Mediator dated 22.08.2024 suggests that inspite of the best efforts, the dispute between the parties could not be resolved and the mediation have been failed.

6. During the argument, learned Counsel for the petitioner submits that the petitioner is ready to settle the dispute by offering one time settlement but learned Counsel for the informant, on instruction, has refused to accept the proposal of the learned Counsel for the petitioner on the ground that the petitioner has performed the second marriage with another lady without informing the informant.

7. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Buxar in connection with Buxar Mahila P.S. Case No. 45 of 2023/G.R. No. 2580 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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