

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42538 of 2024

Arising Out of PS. Case No.-2064 Year-2023 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Pramod Sah S/o Rameshwar Sah R/o vill - Harpur Dakshin Tola, P.S. -
Baniyapur, Distt. - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jaimala Kumari D/o Parmesh Sah R/o vill - Rampur, P.S. - Siswan, Distt. -
Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-12-2024 Heard Ms.Kumari Anupam, learned counsel for the
petitioner, learned counsel for the informant and Mr.Anil
Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.2064 of 2023, registered
for the offences punishable under Sections 498(A)/34 of IPC.

3. Allegation against the petitioner and other co-
accused persons is of committing torture upon the victim due to
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent. He has falsely been implicated
in the present case. Learned counsel for the petitioner, on
instruction, submits that the petitioner is ready to settle the



dispute and he has offered Rs.Two Lakhs for one time settlement.

5. Learned counsel for the informant, on instruction, submits that he is ready to accept the proposal of the Counsel for the petitioner for one time settlement.

7. In view of the aforesaid and petitioner has clean antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt of the order, 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 J.M.1st Class, Siwan in connection with Complaint Case No.2064 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) The petitioner shall deposit Rs. Two Lakhs by way of demand draft in favour of the complainant at the time of his furnishing bail bond and the learned court below is directed to hand over the said demand draft to the complainant or her representative and thereafter learned court below shall dispose of the matrimonial case which is pending before him as one time settlement has been completed between the parties.



(II) 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 cancelled by the Court below.

(III) 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.

(IV) 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/her 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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