

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48559 of 2023

Arising Out of PS. Case No.-849 Year-2022 Thana- SHERGHATI District- Gaya

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Rajdeo Thakur S/O Bhola Thakur R/O Village- Ghoraghat, P.S- Dobhi, Distt.-
Gaya. Petitioner/s

Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP
For the Informant : Mr. Gajendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 07-03-2024 Heard Mr. Vijay Kumar, learned counsel for the

petitioner, Mr. Gajendra Kumar Singh, learned counsel

appearing on behalf of the informant as well as and Mr.

Bishweshwar Ram, learned Additional Public Prosecutor for the

State.

2. The petitioner is apprehending his arrest in
connection with Sherghati (Dobhi) P.S. Case No. 849 of 2022,
F.I.R. dated 13.09.2022 for the offences punishable under
Sections 441, 323, 498A and 506 of the Indian Penal Code and
Section 3/4 of the D.P. Act.

3. According to prosecution case, all the accused
persons including the petitioner tortured the informant due to
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Vide order dated 10.01.2024 the matter was referred to the Patna High Court, Mediation Centre for settlement of disputes between the parties. Report of the learned Mediator dated 28.02.2024 reveals that the dispute between the parties have been resolved and the terms of settlement have been mutually agreed upon by them and both are ready to live together as husband and wife.

6. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have no objection in this regard.

7. Considering the aforesaid facts and circumstances and the report of the learned Mediator, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sherghati at Gaya in connection with Sherghati (Dobhi) P.S.



Case No. 849 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. 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.

iii. 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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