

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49152 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MAHILA PS District- Jehanabad

SUKESH BIND @ SUKESH KUMAR SON OF RANJEET BIND
RESIDENT OF VILLAGE- AGARPAR, PS- KARAY PASURAY, DIST-
NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar
2. REKHA KUMARI DAUGHTER OF SHYAMDEO BIND RESIDENT OF
VILLAGE- PARSURAMPUR, PS- KALPA, DISTT- JEHANABAD

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj
For the Opposite Party/s : Mr. Kanhaiya Kishore App

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 04-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel for the O.P. No.2.
2. The petitioner apprehends his arrest in connection
with Jehanabad Mahila P.S. Case No.03/2023 dated 16.01.2023
registered for the offence punishable under Sections 498(A),
504, 379 and 34 of the Indian Penal Code & Sections 3/4 D.P.
Act.
3. Learned counsel for the petitioner submits that the
case was referred for mediation but then the mediation failed. It
is next submitted that the relationship in between the petitioner
and the O.P. No.2 has soured to an extent that it is not possible
to revive the conjugal relationship. The said submission of the



learned counsel appearing on behalf of the petitioner is also not disputed by the learned counsel appearing on behalf of the O.P. No.2.

4. The learned counsels for the parties jointly submits that on intervention of well-wishers, the petitioner and the O.P. No.2 have reached an amicable settlement and the petitioner is willing to pay an amount of Rs.1,25,000/- to the O.P. No.2 within a period of three months from today towards final settlement.

5. The learned counsel for the O.P. No.2 submits that he has instruction to make submission that in the event if the petitioner pays an amount of Rs.1,25,000/- in that event, the O.P. No.2 shall not object the anticipatory bail application and will also withdraw the criminal case filed against the petitioner after the payment is made.

6. Considering the submissions made by the learned counsels for the parties, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad



in connection with Jehanabad Mahila P.S. Case No.03/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that in the event if the petitioner does not pay the amount as agreed by 18.06.2024 and an application to that effect is filed by the O.P. No.2, in that event, the provisional anticipatory bail granted to the petitioner shall not be confirmed by the learned trial court and in the event if no such application is filed by the O.P. No.2 by 25.06.2024, in that event, the provisional anticipatory bail granted to the petitioner shall be confirmed on the same terms and condition.

8. The O.P. No.2 shall withdraw the present criminal case once the amount as agreed by the petitioner is paid by the petitioner within the time fixed.

(Satyavrat Verma, J)

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