

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60216 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- MAHILA PS District- Buxar

Bhupendra Kumar Son of Late Hareshwar Singh R/o vill - Ramdiha, P.S. -
Dinara, Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-03-2024 Heard Mr. Ajit Kumar, learned counsel for the petitioner, Mr. Rajeev Ranjan, learned counsel appearing on behalf of the informant as well as and Mr. Manoj Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Buxar Mahila P.S. Case No. 08 of 2023, F.I.R. dated 12.02.2023 for the offences punishable under Sections 323, 498(A), 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with his mother 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. and he has been made accused in the present case merely on the ground that he is husband of the informant.

5. Vide order dated 07.10.2023 the matter was referred to the Patna High Court Mediation Centre for settlement of disputes between the parties. Report of the learned Mediator dated 16.02.2024 reveals that the disputes between the parties could not be resolved through the process of mediation.

6. Learned counsel for the petitioner submits that the petitioner is ready to pay Rs. 15,000/- per month to the informant, namely, Nirupama Kumari without any default in future.

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

8. Considering the aforesaid facts and circumstances, 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, Buxar in connection with Buxar Mahila P.S. Case No. 08 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. Petitioner shall furnish a demand draft of Rs. 15,000/- in favour of the informant, namely, Nirupama Kumari and the same shall be deposited at the time of furnishing bail bond and the learned Court is directed to hand over the said demand draft to the informant or her representative and the petitioner shall also undertake to pay Rs. 15,000/- per month to the informant in her bank account as a maintenance. If the petitioner fails to pay the maintenance amount to the informant then the informant has liberty to move before the appropriate forum for cancellation of the bail bond of the petitioner.

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 absence on two consecutive dates without sufficient reason, his 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 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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