

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59211 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- MAHILA PS District- Gaya

Md Mosharraf Imam@Chhotu Son Of Md. Subhan Resident Of Village-
Gewal Bigha Koili Pokhar Near Police Line,Ps- Rampur, Distt- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reefat Fatima Wife Of Md. Mosharraf Imam @ Chhotu Resident Of
Village-Gewal Bigha Koili Pokhar Near Police Line,Ps- Rampur, Distt-
Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Prasad, Advocate
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP
For the Informant	:	Mr. Sanjay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-03-2024 Heard Mr. Shivendra Prasad, learned counsel for the

petitioner, Mr. Sanjay Kumar Sinha, learned counsel appearing
on behalf of the informant as well as and Mr. Anil Prasad Singh,
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 32 of 2023, F.I.R. dated
25.04.2023 for the offences punishable under Sections 341, 323,
498(A), 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along
with other accused persons have tried to kill the informant and
also tortured her physically as well as mentally.

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. Pursuant to the direction of this Hon'ble Court, the matter was referred to the Patna High Court Mediation Centre for settlement of disputes between the parties. Report of the learned Mediator dated 05.02.2024 reveals that the disputes between the parties has been resolved through the process of mediation and the terms of settlement was signed by both the parties.

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, Gaya in connection with Mahila P.S. Case No. 32 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 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)

Vanisha/-

U		T	
---	--	---	--

