

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63868 of 2024

In
CRIMINAL MISCELLANEOUS No.56202 of 2023

Arising Out of PS. Case No.-397 Year-2022 Thana- RAJAON District- Banka

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Suman Kumar Son of Suresh Harijan Village- Katchatar, Ps- Rajaun, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudama Kumari wife of Suman Kumar, Daughter of Munni Lal Harijan Village- Katchatar, Ps- Rajaun, Dist- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Parmanand Prasad, APP
For the Informant :	Mr. Dhananjay Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2025 Heard Mr. Swapnil Kumar Singh, learned counsel for the petitioner, Mr. Dhananjay Kumar Pandey, learned counsel appearing on behalf of the informant as well as Mr. Parmanand Prasad, learned A.P.P. for the State.

2. The present modification application has been filed for modifying the order dated 13.12.2023 passed in Cr. Misc. No. 56202 of 2023.

3. By the aforesaid order the petitioner has been granted anticipatory bail on the basis of compromise taken place in the mediation proceeding no. 739 of 2023 with one of the condition that one of the bailors shall be the informant/opposite



party no. 2.

4. Learned counsel for the petitioner submits that the petitioner has filed the present modification application for modifying the aforesaid order on the ground that the Opposite Party No. 2 is not ready to become bailor of the petitioner and due to this reason the petitioner could not furnish his bail bonds and could not surrender within the time stipulated in the order dated 13.12.2023.

5. Learned counsel for the Opposite Party No. 2 has appeared and draws attention of this Court on the Memorandum of Agreement which was executed between the petitioner and the Opposite Party No. 2 in the mediation proceeding no. 739 of 2023. According to the aforesaid agreement, the petitioner was ready to keep the Opposite Party No. 2 as his wife with full honour and dignity. He further submits that the petitioner has not approached the Opposite Party No. 2 to become bailor in the present case.

6. Learned counsel for the petitioner submits that despite petitioner had signed the agreement, Opposite Party No. 2 is still living with her parents in her paternal home.

7. In view of the aforesaid, it appears that the petitioner has not abide by the terms and conditions of the



Memorandum of Agreement dated 02.11.2023 which was signed by the parties in the mediation proceeding no. 739 of 2023. Hence, no case is made out for modification of the order by this Court.

8. Accordingly, it is dismissed.

(Rajesh Kumar Verma, J)

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