

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61294 of 2024

Arising Out of PS. Case No.-999 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Sunni Kumar Son of Bijay Paswan Resident Of Village- Malpur, P.S.- Ghoswari, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pushpa Devi Wife of Sunny Kumar, Daughter of Karu Paswan R/O Vill.- Malpur, P.S.- Ghoswari, Dist.- Patna, Presently R/O Vill. and Post- Mudhari, P.S.- Harnaut, Dist.- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajnish Kumar, Advocate
For the State	:	Mr. Mohammad Sufyan, APP
For the complainant	:	Mr. Niranjana Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2025 Heard Mr. Rajnish Kumar, learned counsel for the petitioner, Mr. Mohammad Sufyan, learned counsel for the complainant and Mr. Niranjana Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 999C of 2022 for the offences punishable under Sections 498A, 323 and 504 of the Indian Penal Code.

3. According to prosecution case, allegation against the petitioner and other co-accused persons is of committing torture upon the victim due to non-fulfillment of the 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 FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Pursuant to the direction of this Court vide order dated 20.09.2024, the matter was referred to Patna High Court Mediation Centre for resolving the matter between the parties.

6. Learned counsel for the petitioner fairly submits that the dispute between the parties has been resolved through the process of mediation and the O.P. No.2 is ready to accept Rs. 1,60,000/- (One Lakh and Sixty Thousand) in four installments for settlement of dispute and as per memorandum of agreement dated 16.12.2024, the petitioner has produced a demand draft of Rs. 50,000/- (Rupees Fifty Thousand) in favour of the O.P. No.2, namely, Pushpa Devi and the same is handed over to the learned counsel for the O.P. No.2. Learned counsel for the petitioner also submits that the petitioner shall pay Rs.50,000/- (Rupees Fifty Thousand) at the time of furnishing the bail bond of the petitioner and rest amount of Rs.60,000/- (Rupees Sixty Thousand) will be paid in the month of February, 2025 and in



the month of March, 2025.

7. Learned counsel for the complainant and learned A.P.P. for the State 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 Judicial Magistrate, 1st Class, Bihar Sharif, Nalanda in connection with Complaint Case No. 999C of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S., 2023 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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