

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70684 of 2023

Arising Out of PS. Case No.-1294 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Suresh Mahto Son Of Geni Mahto Resident Of Village- Jaddaul Chhapra, Ps-
Kathaiya, Distt- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sima Devi Wife Of Suresh Mahto Resident Of Village- Jagaun Chhapra, Ps-
Kathaiya, Distt- Muzaffarpur At Present Resident Of Village- Gijas Kasba,
Ps- Saraiya, Distt- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Kumar, Advocate
For the Complainant	:	Mr. Ratneshwar Prasad, Advocate
For the State	:	Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-07-2025 Heard Mr. Raju Kumar, learned counsel for the

petitioner, Mr. Ratnesh Prasad, learned counsel for the

Complainant and Ms. Asha Kumari, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1294 of 2022, Trial No.
3915 of 2023, dated 01.09.2022 registered for the offences
punishable under Sections 498(A) of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

3. Allegation against the petitioner is of demand of
dowry and torture for the same.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition.

5. Vide order dated 05.03.2024, the matter was referred before the Patna High Court, Mediation Centre for settle the dispute between the parties. Report of the learned Mediator dated 15.04.2024 suggests that the dispute between the parties has been resolved through the process of mediation and the complainant is now residing with the petitioner as his wife.

6. Considering the facts and circumstances of the case and the fact that the dispute between the parties have been resolved through the process of mediation and the complainant is now living with the petitioner as his wife, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West, Muzaffapur in connection with Complaint Case No. 1294 of 2022, Trial No. 3915 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/



Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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