

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73186 of 2024

Arising Out of PS. Case No.-469 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Govind Kumar Choudhary @ Govind Choudhary S/O Mayaram Mahto R/O
Village- Kaji Bahra, P.S- Jale, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Kumari W/O Govind Kumar Choudhary @ Govind Choudhary At Present D/O Baidyanath Mahto, R/O Shakin Jitwarpur Nizamat Old Ward No. 1, New Ward No. 16, P.S- Samastipur Muffasil, Distt.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brahmaputra Singh Ishu, Advocate Ms. Poonam Kumari, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP
For the O.P. No. 2	:	Mr. Prakash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-04-2025 Heard Mr. Brahmaputra Singh Ishu, learned counsel

for the petitioner as well as Mr. Suresh Prasad Singh, learned

Additional Public Prosecutor for the State and Mr. Prakash

Kumar leaned counsel for the O.P. No. 2.

2. The petitioner is apprehending his arrest in
connection with A.B.P. No. 2455 of 2024 arising out of
Complaint Case No. 469 of 2024 for the offences punishable
under Sections 323, 341, 379, 498(A), 540 and 206 of the
Indian Penal Code and Sections 3 and 4 of the D.P. Act.

3. According to prosecution case, the petitioner along
with other accused persons abused and tortured the complainant
on non-fulfillment of demand of a four-wheeler and a gold chain

as dowry. It is further alleged that on 27.02.2023, they brutally assaulted the complainant and tried to kill her by putting rope around her neck.

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. Vide order dated 22.01.2025, the matter was referred before the learned Mediator for settlement of the dispute between the parties. Report of the learned Mediator dated 18.02.2025 reveals that the dispute between the parties has been resolved through the process of mediation and the term of settlement has been mutually agreed upon them is being attached herein and both the parties have signed over the agreement on 18.02.2025 itself.

6. The learned Additional Public Prosecutor as well as learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts that both the parties have resolved their disputes through the process of mediation,

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, Samastipur in connection with A.B.P. No. 2455 of 2024 arising out of Complaint Case No. 469 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/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.)

Jyoti Kumari/-

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