

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.439 of 2025

Arising Out of PS. Case No.-29 Year-2024 Thana- MORO District- Darbhanga

Dilip Kumar Sahni S/O Ram Prasad Sahni @ Ram Pramod Sahni Village-
Tisidih P.S.- Moro, District - Darbhanga

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Simpi Kumari D/O Baidhnath Sahni Village- Jayantipur P.S.- Bahera,
District - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For the O.P. No. 2	:	Mr. Brajesh Sahay, Advocate
	:	Mrs. Rupa Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 07-07-2025 Heard Mr. Girish Chandra Jha, learned counsel for the petitioner, Mr. Brajesh Sahay, learned counsel for the informant and Mr. Jagdhar Prasad, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Moro P.S. Case No. 29 of 2024, F.I.R. dated 26.05.2024 for the offences punishable under Sections 341, 323, 504, 506, 498(A) and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. According to prosecution case, the informant alleges that the petitioner and other co-accused persons have assaulted her on non-fulfillment of dowry demand.



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. He further submits that both the parties are ready to settle their dispute.

5. In view of the aforesaid, learned counsel for the petitioner has offered one time settlement amount of Rs. 4,50,000/- (Rs. Four lakhs fifty thousand).

6. Learned counsel for the O.P. No. 2 on instruction submits that she is ready to receive the amount as one time settlement and she is also ready to withdraw all cases which are pending against the petitioner and his family members.

7. Learned counsel for the petitioner fairly submits that the petitioner shall pay half of the amount at the time of furnishing bail bond i.e. Rs. 2,25,000/- (Rs. Two lakhs twenty five thousand). The learned counsel for the petitioner is directed to produce a demand draft of Rs. 2,25,000/- (Rs. Two lakhs twenty five thousand) at the time of furnishing bail bond and the said Demand Draft (DD) is to be handed over to the learned counsel for the informant or informant herself.



8. Considering the aforesaid facts and circumstances and the petitioner has clean antecedent, 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, Darbhanga in connection with Moro P.S. Case No. 29 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. At the time of furnishing bail bond, the petitioner shall deposit Rs. 2,25,000/- (Rs. Two lakhs twenty five thousand) by way of demand draft (DD) in favour of the informant and the learned Court below is directed to hand over the said DD to the informant or her representative. Rest amount of Rs. 2,25,000/- (Rs. Two lakhs twenty five thousand) shall be paid by the petitioner to the informant within a period of three months. If the petitioner fails to pay rest amount of Rs. 2,25,000/- to the informant within the aforesaid period, the informant shall at liberty to move before the learned Court below for cancellation of bail bond of the petitioner.



ii. 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.

iii. 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.

iv. 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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