

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19974 of 2015

Arising Out of PS.Case No. -28 Year- 2013 Thana -MAHILA P.S. District- NAWADA

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1. Sahjahan Alam S/o Hussain Ansari r/o vll- Ghato Tand, Qrt. No. 7, Block E, Driver Hut, Ghato Tand, Ps- Ghato Tand , Distt- Ramgarh(Jharkhand.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Jarfasan Ali w/o Shahjahan Alam r/o vill- Ghato Tand, Distt- Ramgarh(Jharkhand), at present D/o Md. Ali Ansari, Mohalla- Kamalpur, Ansar Nagar, P.s - Nawadah, Distt- Nawadah

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Mr. Pradip Nr. Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 15-12-2015 Heard leearned Counsel appearing for the petitioner and learned Counsel appearing on behalf of the O.P. No. 2.

It is submitted that by virtue of agreement dated 1.12.2015, before this Patna High Court Mediation Center and the petitioner and O.P. No. 2. The Demand Draft of Rs. 7,00,000/- has already been given to learned Counsel for O.P. No. 2.

Amongst other terms and conditions arrived at between the parties, one of the terms and conditions was that she would be withdrawing the case against the petitioner and other family members. Learned Counsel for the petitioner submits that the same has not been done till date and the passport of the petitioner has also been appropriated at Ranchi, in view of the pendency of the present case. He submits that till date despite the

agreement, O.P. No. 2 has not withdrawn the case leading to serious hardships to the petitioner.

Learned Counsel appearing for O.P. No. 2 submits that in view of the agreement, he shall instruct his client to take appropriate steps to file a petition for withdrawal of the case and FIR as agreed upon by her.

It is thus directed that the O.P. No. 2 shall take immediate steps to withdraw the case as per agreement arrived at before this Court at the Mediation Center. In view of the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Mahila P.S. Case No. 28 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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