

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22841 of 2015

Arising Out of PS.Case No. -569 Year- 2014 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

MANISH KUMAR @ NANISH KUMAR @ MANISH KR SINGH son of
Shiv Nath Singh resident of village/Mohalla Bagtaj Khar @ Pokhara, Police
Station- Hajipur Town in the District of Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 420, 406, 465, 467, 468 and 120B of the Indian Penal Code.

Allegation against the petitioner is that he in collusion with other accused had sold a piece of land to the complainant but subsequently it came to knowledge of the complainant that the land has already in possession of one Sonali Singh and thus, he cheated the complainant/informant.

It has been submitted on behalf of the petitioner that both the parties have settled their issue in terms of the Memorandum of Agreement dated 12.8.2015. Copy of the Memorandum of Agreement arrived in the Mediation Proceeding No. 599 of 2015 is as follows :-

“An agreement made on 12.08.2015 at the High Court Patna Mediation Centre, between

Manish Kumar @ Nanish Kumar @ Manish Kr. Singh

(First Party)

And

Dinesh Prasad Sah

(Second Party)

Both the parties have settled the dispute going on in between them, in presence of their respective learned lawyers. First Party namely Manish Kumar has handed over Rs.2,25,000/- (Rupees two lakh twenty five thousand) only to Second Party namely Dinesh Prasad Sah which he has accepted. With effect this settlement, following matter/condition be arise:-

1. Opposite party no. 2 has no objection in Criminal Miscellaneous Case No. 22841 of 2015 (Anticipatory Bail).
2. Hajipur town P.S. Case No. 559 of 2014 (Complain Case No. 333 of 2014) is now is settled with effect of this settlement from today.
3. Petitioner (First Party) will file a cancellation before the appropriate Court below in which opposite party No. 2 (Second Party) will appear and accept the same (Cancellation).

With this conditions all the cases relating with the disputes pending in this Hon'ble Court as well as in the Court below is settled. ”

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing

bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case no. 569 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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