

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20967 of 2015

Arising Out of PS.Case No. -1444 Year- 2013 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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Parimal Kumar Singh @ Parimal Singh. Son of Indubhushan Singh.
Resident of village - Bisanpur, P.S.- Sour Bazar, O.P.- Patarghat, Dist.-
Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jitendra Kumar Singh. S/o Late Madhusudan Pd. Singh. Resident of
village - Sonbarsa, P.S.- Sonbarsa Raj, Dist.- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Arun Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 21-09-2015

Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending his arrest in a

complaint case wherein processes have been directed to be

issued after cognizance being taken for the offences punishable

under Sections 420 of the Indian Penal Code and 138 of N.I.

Act.

The prosecution case is that the petitioner took

Rs.2,50,000/- from the complainant as loan and promised to

return the same by 28.04.2013. Subsequently, the petitioner

issued a cheque of Rs.2,50,000/- which got bounced.



On joint prayer of the parties the matter was referred to Mediation Centre of State Legal Services Authority. The report of the Mediator dated 14.09.2015 at Flag 'A' reflects that the issue has been settled between the parties on the condition that the petitioner will return Rs.2,00,000/- out of which the petitioner will deposit Rs.50,000/- before the learned court below at the time of furnishing bail bonds and rest Rs.1,50,000/- within a period of eight months. On receiving of Rs.2,00,000/- the complainant will withdraw the complaint case.

Counsels for the petitioner and the complainant jointly admit that the issue has been settled between the parties before the Mediator.

In the circumstances, let the above named petitioner be released on anticipatory bail provisionally for nine months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa connection with Complaint Case No. 1444C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail will be confirmed by the learned court below on deposit of Rs.2,00,000/- within a period of eight months and the same will be released in favour of the complainant.

Let the report of the Mediator along with terms of agreement be transmitted to the learned court below.



DKS/

(Dinesh Kumar Singh, J.)

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