

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55441 of 2015

Arising Out of PS.Case No. -196 Year- 2015 Thana -BUDDHACOLONY District- PATNA

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1. Sunil Kumar Acharya son of Shri Ganga Prasad Acharya, Resident of village + P.O. Afzala Balia, P.S. Biraul, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 04-02-2016

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406 of the Indian Penal Code.

The prosecution case is that the petitioner being the cash in-charge of the husband of the informant misappropriated rupees two lacs.

Though the matter was referred to the Mediation & Conciliation Centre of the State Legal Services Authority on the joint prayer of the parties but it appears from the report of the Mediator at Flag-A that the mediation could not be concluded through the process of mediation.

It is submitted by learned counsel for the petitioner that the issue has been settled between the parties. Learned counsel for the petitioner has brought a draft of Rs. 49,800/- bearing Draft No. 639256 dated 02.02.2016 which is

being handed over to the counsel for the informant. Though no joint application with regard to resolving of the issue has been filed.

It is expected from the counsel for the informant to make an endorsement on record with regard to the receiving of the draft.

Considering the nature of accusation and the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in connection with Budha Colony P.S. Case No. 196 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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