

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19442 of 2015

Arising Out of PS.Case No. -1704 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

=====

1. Vivek Kumar Son of Late Sahjanand Singh, Resident of village- Bhawani Tola, Rampur Diara, P.S.- Maner, District- Patna, presently resident of F-50, West Jawahar Park, Laxmi Nagar, P.S.- Shakarpur, New Delhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Gudiya Kumari @ Dipa, Daughter of Shankar Kumar Singh, Wife of Vivek Kumar, Resident of village- Pakra, P.S.- Naugachiya, District- Bhagalpur presently resided at Ajay Singh, Mohalla- Adampur, P.S.- Adampur, District- Bhagalpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Atul Kumar
For the Opposite Party/s : Mr. Jagdhar Prasad (App)

=====

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

13 25-04-2016 Heard learned counsel for the petitioner and learned
counsel for the opposite party no. 2.

Both the parties are present in Court.

Learned counsel for the petitioner submits that petitioner is ready for full and final settlement on payment of Rs. 6,00,000/- (Six lakhs) at one time. It is further submitted that petitioner is unable to pay Rs. 6,00,000/- at one time. Further, it is submitted that petitioner is agree to pay Rs. 3,00,000/- (three lakhs) within one month in the name of complainant-opposite party no. 2 in her account bearing Saving Bank Account No. **33498349920, CIF NO. 88858647035, IFSC: SBIN0015583** of State Bank of

India(photo copy of Saving Book of opposite party no. 2 annexed herewith) and rest amount shall be paid of. 1,50,000/- in two installments each at the interval of two months.

Learned counsel for the opposite party no. 2 is agree with the above settlement.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be granted interim bail on payment of Rs. 3,00,000/- within one month in the account of opposite party no. 2 and rest amount of Rs. 3,00,000/- the petitioner shall go on to depositing in two equal installment of Rs. 1,50,000/- each at the interval of two months thereafter, subject to satisfaction of Sri Atul Veer Singh, Judicial Magistrate-1st Class, Bhagalpur, in connection with Complaint Case No. 1704 of 2013, after payment of entire amount of Rs.6,00,000/- to the satisfaction of Judicial Magistrate-1st Class, the trial court shall confirm the bail bond of the petitioner. However, if the petitioner shall not comply the condition as mentioned above, then bail bond of the petitioner shall stand cancel and trial court shall proceed to take coercive step against the petitioner for his apprehension.

However, it is made clear after payment of entire amount the opposite party no. 2 shall file a petition for withdrawal of the case in terms of agreement and trial court shall consider to

compound the case.

Further if the petitioner pay Rs.6,00,000/- (six lakhs) prior to the time fixed then opposite party no. 2 shall immediately file petition within one month of full payment to withdraw the case and compromise the case.

With this observation, the petition is disposed of.

(Gopal Prasad, J)

m.p.

U		T	
---	--	---	--