

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21023 of 2015

Arising Out of PS.Case No. -1019 Year- 2012 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Ganga Sagar Rai Son of Late Ishwar Dayal Rai, R/o Village - Gangauli
P.S. - Simari, District - Buxar and at present address Kuju K.V. Gate infront
of Shiv Temple, P.S. - Kuju District - Hazaribagh Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vinay Kumar Rai, Son of Gupteshwar Rai, R/o Village Ekauna, P.S. -
Simari, District - Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 05-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 1019 (C)/2012 for the offence under
Section 406 of the Indian Penal Code.

Earlier the matter was referred to Patna High Court
Mediation Centre in which dispute between the parties has been
resolved through the process of mediation in terms of settlement
mutually agreed upon by them. Since the petitioner is ready to re-
pay the entire amount of Rs. 2,50,000/- by 15.12.2016, the
petitioner has issued a cheque of Rs. 50,000/- in favour of Mr.

Vinay Kumar and he undertakes to pay Rs. 2 lacs in four equal instalments, the first of which is to be paid on 15.03.2016 and thereafter on 15.06.2016, 15.09.2016 and 15.12.2016 respectively.

Since both the parties have agreed, let the above named petitioner, in the event of his arrest/surrender in the court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in Complaint Case No 1019 (C)/2012, subject to the conditions as laid down u/s 438(2) Cr.P.C.

However, it is made clear that the petitioner shall be bound by the agreement arrived at by him and undertaking given before this Court and the Mediation Centre in terms of agreement dated 04.12.2015. In case the same is not complied with by the petitioner, it shall be open to opposite party no. 2 to take appropriate steps in moving this Court for modification/cancellation of this order.

(Anjana Mishra, J)

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