

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54104 of 2013

Arising Out of PS.Case No. -4 Year- 2007 Thana -KANKARBAGH District- PATNA

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1. Sunil Kumar Verma S/O Late Awadhesh Kumar Verma Resident Of Mohalla-
M.I.G. 310, P.S- Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Urmila Gupta W/O Sri Arun Kumar Gupta Resident Of Mohalla M.I.G. 293,
Lohiya Nagar, P.S- Kankarbagh, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. A.K. Malakar, Adv
For the Opposite Party no.2: Mr. Sanjay Kr. Mishra, Adv
& Mr. Sanjiv Sharan, Adv
For the State : Mr. Satyavrat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT
Date: 01-05-2017

Heard learned counsel for the parties.

The present application has been filed for quashing
the order dated 21.11.2013 passed by learned Sessions Judge, Patna in
Cri. Misc. (Bail Cancellation) Case No. 05 of 2011, arising out of
Kankarbagh P.S. Case No. 04 of 2007 corresponding to G.R. No.
1382 of 2007, whereby and whereunder the bail of the petitioner has
been cancelled.

From the impugned order, it appears that the
petitioner was granted anticipatory bail vide order dated 13.08.2007
passed in A.B.P. No. 4896 of 2007, on the basis of the compromise



entered into between the parties on 09.07.2007 (Annexure-4). The petitioner has agreed by aforesaid compromise to make payment of total amount of Rs. 2,05,000/- (Two Lakh Five Thousand) in ten easy installments to the informant. First installment was of Rs. 30,000/- and remaining eight installments was each of Rs. 20,000/- and last installment was of Rs. 15,000/-. The payment was to be made by bank draft, and the informant would grant receipt for payment of amount of installments. The payment of the installment was to be made in between 10-15 day of every month.

It is submitted on behalf of the informant that the petitioner did not comply the aforesaid terms and conditions of the compromise and no payment was made in terms of compromise.

From the impugned order, it appears that the court below vide order dated 21.11.2013, passed in Cri. Misc. (Bail Cancellation) Case No. 05 of 2011, cancelled the bail of the petitioner on the ground that he did not comply the terms and conditions of the compromise.

In such circumstance, this Court does not find any illegality in the impugned order. The criminal miscellaneous application is, accordingly, dismissed.

The petitioner is granted liberty to file necessary petition for payment of amount in terms of the compromise entered



into between the parties at the time of surrender. The court below will consider the prayer for bail of the petitioner after filing of such petition in accordance with law on its own merit without being prejudiced by order of this Court.

(Sanjay Priya, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N/A
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