

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20364 of 2017

Arising Out of P.S.Case No. -3082 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Mr. Raj Kumar R. Pandey @ Rama Pandey, Son of R.S. Pandey, aged about
52 years and Resident of 418/14, Satya Prakash C.H.S. Sector-r, Charcap
Knadivali (West) Mumbai- 400067.

.... Petitioner

Versus

1. The State of Bihar.
2. M/s R.D Motion Picture, through authorized representation Mr. Sanjiv
Kumar, age about 34 years, S/o shri Ram Bilas Singh, having at 16-B
Narmada Apartment, Exhibition Road, P.S.- Gandhi Maidan in town
and District of Patna- 800001.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Durga Narayan, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 20-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Complaint Case No.3082 of 2015, registered
for the offence punishable under Sections 406, 120-B, 403, 418,
419, 420 and 422 of the Indian Penal Code.

Learned counsel for both the parties have informed
this Court that through mediation Centre the parties have settled
the dispute. The terms and conditions as agreed between the



parties is as follows:-

“1. That both the parties and proprietor of the M/S R.D. Motion picture (herein after referred as Firm) are ready to settle/compromise the above mentioned case arising out of complaint case no.3082(C)/2015 with certain term and conditions, which is pending before the A.C.J.M./Sub-Judge, VIIIth Patna.

2. That the complainant agrees to compromise the complaint case no.3082 (C)/2015 with the petitioner on following terms & Conditions.

(3) That the complainant and proprietor of the firm will never raise any further claim/dispute with the petitioner regarding this case or related to this case matter as mentioned in complaint case no.3082/2015.

4. That the complainant and proprietor of the firm and the petitioner Raj Kr. R. Pandey shall have no claim against each other in future regarding above mentioned case or the case filed by Raj Kr. R. Pandey in Mumbai.

5. That petitioner Raj Kr. R Pandey shall withdraw the criminal writ case no.1952 of 2016 Hon’ble High Court of Mumbai and Civil Suit case no.1496 of 2016 (two cases) Bombay City Civil Court Din Doshie which is pending before the Mumbai and shall never raise any claim whatsoever in the matter of film “Nagina” (Bhojpuri) in future against the ‘firm’.

6. That both the parties after entering into this agreement/compromise and settlement of their dispute pertaining to film “NAGINA’ and CHHORA GANGA



KINAREWALA". They have no pending claims against each other on this day and shall make no claim of any sort in future against each other.

7. That the petitioner will file an application under section 482 of the code of criminal procedure in Patna High Court (by annexing the Withdrawal order of Hon'ble Mumbai High Court and order of Bombay City Civil Court Din Doshie relating to Cri. Misc. 1952 /2016 and Civil Suit. Case No.1496/2016 whereby and where under complainant and proprietor of the firm shall also give consent to quash the above mentioned complaint case no.3082/2015 against the petitioner Raj Kr R. Pandey only.

8. That in the view of the compromise, the witness in the case is no longer inclined to be examined against the petitioner if the aforesaid terms fulfilled by the petitioner Raj Kumar R. Pandey.

9. That both the parties and proprietor of the said firm agreed to settle the disputes on the above mentioned terms and conditions.

10. That we the executants have understood the terms and conditions of this compromise and have agreed to put our signature on this agreement.

In such view of the matter, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Patna, in connection with Complaint Case No.3082 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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