

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50411 of 2018

Arising Out of PS.Case No. -3510 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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Adarsh Kumar @ Adarsh Kumar Pandey, Son of Chintamani Pandey
Resident of Flat No. C - 113, Rajnigandha Apartment, Kurjee, P.S. -
Patliputra, District - Patna (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anju Devi, Daughter of Jwala Prasad Singh, Wife of Sushi Bhushan
Resident of Mohalla - Postal Park, P.S. - Jakkanpur, Patna, At present
Alka Colony, Sandalpur Road, P.S. - Bahadurpur, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Complaint Case No.

3510(C) of 2017 instituted for the offence under Sections 323,
354, 379, 419, 420, 406, 467, 468, 471, 504, 506/34 and 120(B) of
Indian Penal Code.

Counsel for the petitioner submits that both parties
have entered into settlement outside the Court. Petitioner has
agreed to return the amount of Rs.38,00,000/- to opposite party
No. 2. Counsel for the petitioner further submits that petitioner
will make payment of Rs.5,00,000/- at the time of furnishing bail
bond and further Rs.5,00,000/- in the month of October,2018.



Remaining amount of Rs.28,00,000/- will be paid by the petitioner within six months commencing from October, 2018.

Counsel for the opposite party No. 2 submits that opposite party No. 2 has also agreed to settle the matter with the petitioner after receiving the aforesaid amount.

Prayer for bail of the petitioner was earlier rejected by a coordinate Bench of this Court vide order dated 30.03.2018 passed in Cr. Misc. 18417 of 2018.

Since the matter has now been settled between the parties and counsel for the opposite party No. 2 submits that he has agreed to settle the matter with the petitioner after receiving amount of Rs.38,00,000/-, the petitioner is directed to be released on provisional bail till April, 2019, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna, in connection with Complaint Case No. 3510(C) of 2017, subject to the condition that both the bailors will be close relatives of the petitioner.

The petitioner will make payment of Rs.5,00,000/- to the opposite party No.2 by Demand Draft at the time of furnishing bail bond and further Rs. 5,00,000/- will be paid by the petitioner to opposite party No. 2 in the month of October, 2018. Thereafter,



he will make payment of remaining amount of Rs.28,00,000/- within six months from October,2018. The provisional bail granted to the petitioner will be confirmed by the court below after making full payment of Rs.38,00,000/- to opposite party No. 2 as agreed between the parties.

It is made clear that if petitioner makes payment of Rs.38,00,000/- even before April, 2019, the court below will confirm the provisional bail granted to the petitioner. In the event the entire amount is not paid by the petitioner to opposite party No. 2 by April, 2019, the court below will not confirm the provisional bail granted to the petitioner and bail bond of the petitioner will be cancelled. The payment made by the petitioner will be subject to final decision of the case.

S.Ali/-

(Sanjay Priya, J)

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