

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15090 of 2017

Arising Out of PS.Case No. -166 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Mukesh Kumar Sha @ Mukesh Kumar Sah, Son of Raj Kishore Sha,
Resident of Town and P.S. – Mahnar, District Vaishali, at present House
No. 27/1/A Dr. S. N. Ghosh Road, P.S. Budge-Budge, District 24 Pargana,
Kolkata – 700137 (W.B.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Nisha Bharti, wife of Mukesh Kumar Sha, presently residing with her
father Sri Shankar Sah, Resident of Singhia Bujurg (south) Ward No. 7,
P.S. Bibhutipur, District Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

9 09-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 323, 379,
341, 498A, 504 and 506/34 of the Indian Penal Code.

The petitioner as well as his wife, who is complainant
of the case, are physically present in Court in pursuance of order
dated 03.11.2017. In pursuance of amicable settlement between
the parties, the petitioner has produced bank draft of remaining
amount of Rs.5,50,000/- in the name of his wife Nisha Bharti.

Both the parties have already filed compromise



petition. The car purchased by the father of the complainant, in the name of the complainant, which was in the occupation of the petitioner, has already been handed over today in the Court premise itself in terms of the compromise between the parties.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing **personal bond** of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Complaint Case No. 166 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

The court below shall dispose of the case in terms of the compromise between the parties.

Let a copy of the compromise petition be sent to the court below along with a copy of this order.

(Birendra Kumar, J)

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