

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32944 of 2016

Arising Out of PS.Case No. -1480 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Sudhir Kumar, son of Late Sheo Dayal Sonar, Resident of village - Sikta Bazar, Kuraishi mohalla, Police Station - Sikta, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Urmila Devi, wife of Shri Laxman Sah, Resident of Village - Bardahiya, Sikta Bazar, Police Station - Sikta, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate.

For the opposite party No.2 : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Smt. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 09-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Complaint Case No. 1480 C of 2015** instituted for the offence under Section 420 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in the Mediation Centre, the matter has been settled between the parties and report of the Mediator is enclosed and kept at Flag-I. It has further been submitted that petitioner is ready to make payment of remaining amount of Rs.45,000/- as per settlement arrived at between the parties in Mediation proceeding.



In terms of the aforesaid report, it appears that matter has been settled for Rs.85,000/- and Rs.40,000/- has been deposited by petitioner in the account of Urmila Devi (opposite party No. 2) on 28.11.2017.

Learned counsel for the opposite party No. 2 has appeared and submitted that after making payment of remaining amount of Rs.45,000/- the complainant will withdraw the case as per settlement arrived at between the parties in the Mediation centre.

In such circumstances, petitioner is directed to surrender in the court of **Shri Sitesh Kumar, learned Judicial Magistrate, Bettiah, West Champaran** within a period of six weeks from the date of receipt/production of a copy of this order along with valid receipt showing payment of Rs.45,000/- to the complainant by way of Demand Draft and in that event, the court below will enlarge the petitioner on anticipatory bail, in the event of his arrest/surrender, in connection with **Complaint case No. 1480C of 2015** subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the



court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

It is expected that after being released by the court below, both parties will take appropriate step for final disposal of the case in terms of the settlement arrived at between them in Mediation Centre.

S.Ali/-

(Sanjay Priya, J)

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