

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52267 of 2018

Arising Out of PS. Case No.-69 Year-2018 Thana- KOTWALI District- Patna

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1. Renu Verma, W/o Late Sanjay Kumar,
 2. Gaurav Kumar S/o Late Sanjay Kumar ,
 3. Saurabh Kumar S/o Late Sanjay Kumar , All R/o Bari road, In front of Hathua Market, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-09-2018 Supplementary affidavit has been filed on behalf of the petitioners. Same be kept on the record.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 417, 418, 419, 420, 504, 506/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners cheated the informant.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. It has further been submitted that the matter has



been compromised between the parties. The said compromise petition is Annexure 2 to the supplementary affidavit. The compromise has been made in the following terms :-

“1. The first party has paid a sum of Rs. Three Lakh to the second party at the time of execution of this Deed by cheque for the purpose of compromise as stated above.

2. The second party has accepted the amount of Rs. Three Lakh through account payee cheque No.000070 dated 24.8.2018 of Kotak Mahindra Bank from the first party in lieu of the compromise to be entered between the parties.

3. The second party covenants that he does not have any further claim or grievances against the first party and accordingly, does not wish to pursue the Kotwali P.S. Case No.69 of 2018 and will be withdrawing the said case by way of compromise. It has also been agreed that a joint compromise petition will be filed by both the parties before the court, so that the proceeding of Kotwali P.S. case No.69 of 2018 may be dropped.

4. That after settlement of the dispute between the parties there will be no grievances against each other and both the parties will compromise the cases pending before any court of law. That after receipt of settled/compromised amount from the First party, the Second party will return the bill/invoice of reduced amount.

5. That in acceptance of condition of this



agreement both the parties put their hands in presence of witness given below on any, month and year written above.”

Considering that the matter has been compromised between the parties, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna in connection with Kotwali P.S. case No.69 of 2018 (G.R. No.957 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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