

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11745 of 2019

Arising Out of PS. Case No.-189 Year-2018 Thana- VIJAYEPUR District- Gopalganj

Ramesh Prasad @ Ramesh Gendalal Prasad, Son of Gena Bin @ Gendalal Prasad, Resident of village- Manjharia, P.S.- Vijaypur, District Gopalganj and at present Residing at M.R.D.C. Lohara, Yawatmal, P.S.- Yawatmal, District- Yawatmal (Maharashtra), PIN-44500

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 02-07-2019 This is an application for grant of anticipatory bail in connection with Bijaipur P.S. Case No. 189 of 2018, disclosing offences under Sections 420 & 406 of the Indian Penal Code and Section 138 of N.I. Act.

Prosecution story as per written report before the Officer in-charge Bijaipur Police Station Gopalganj is that the petitioner has demanded Rs.50,00,000/- (Rupees Fifty Lakhs) from the complainant on assurance that he will return the same and thereafter, he has returned Rs.32,49,000/- to him and Rs.10,00,000/- (Rupees Ten Lakhs) is still due against the petitioner.

On appearance of the opposite party no. 2, the matter was referred to the Patna High Court Mediation & Reconciliation Center, vide order dated 27.02.2019. The report



of Mediator is available on record at Flag “N” which disclosed that the dispute between the parties has been resolved and the terms of settlement mutually agreed upon them, which is attached with the mediator’s report. The Mediator’s report disclosed that petitioner has paid Rs.7,00,000/- (Rupees Seven Lakhs) through Bank Draft No.018082 of Axis Bank, Yavatmal (Maharashtra) and both the parties are ready to withdraw the cases against each. Once the amount has been received by the second party, they shall not have any grievance between the parties.

Learned counsel for the petitioner and learned counsel for the complainant have also admitted the aforesaid facts.

In such view of the matter, let the petitioner, above named, surrender before the court below by 18.07.2019, the petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gopalganj, in connection with Bijaipur P.S. Case No.189 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that both the parties shall abide by the terms of conditions mentioned in the memorandum of agreement.



Let a copy of Mediator’s report along with terms of agreement be sent to the court concerned for needful.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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