

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40541 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- MAHILA P.S. District- Purnia

RAHUL KUMAR VIKKY @ RAHUL KUMAR BIKKI Son of Lakhan Prasad Gupta Resident of Village - Pothia Bazar, P.S.- Pothiya, District- Katihar
... .. Petitioner

Versus

1. The State of Bihar
2. Sharda Manjul daughter of Ashok Kumar Gupta, wife of Rahul Kukmar Vicky @ Rahul Kumar Bikki, R/o vilalge- Banmankhi, Chakla, P.S.- Banmankhi, District- Purnea

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Vikramdev Singh, Advocate Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s :		Mr. Binod Kumar, APP
For O. P. No. 2	:	Mr. Amit Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 03-12-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel representing O. P. No. 2.

The petitioner in the present case is seeking anticipatory bail in connection with Mahila P.S. Case No. 42 of 2018 registered for the offences punishable under Sections 341, 323, 494, 498A, 307, 504, 506/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Earlier this matter was referred to the Mediation Center attached to this Court for taking efforts to amicably resolve the dispute between the parties but it appears from the report at flag 'D' that the said mediation failed, but, thereafter, the parties seem to have settled their dispute outside the court and it has been agreed between the parties that both of them shall settle the matter



on payment of sum of Rs. 3 lacs by the petitioner to the opposite party no. 2.

Learned counsel for the petitioner and learned counsel for the opposite party no. 2 have jointly submitted that the matter has been settled and now only the payment is required to be made.

Learned counsel for the petitioner submits that Rs. 1 lac shall be paid within 15 days from today by way of demand draft drawn in the name of opposite party no. 2 payable at Purnea. Rest of Rs. 2 lacs shall be paid within three months in two equal installments of Rs. 1 lac each within the aforesaid three months.

In the aforesaid view of the matter, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Mahila P.S. Case No. 42 of 2018 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the petitioner shall make payment of the settlement amount of Rs. 3 lacs to opposite party no. 2 in terms of his undertaking as recorded hereinabove, failing which the court below shall cancel the bail bond of the petitioner without seeking any application from opposite party no. 2.

Learned counsel for both the parties have submitted that after payment of the settlement amount as stated above, both the parties shall take appropriate steps within two weeks after receipt of the final payment to close all the litigation between the parties. Both the parties thereafter, shall get separated as per their own. If such steps are taken, the court below shall proceed to pass appropriate order thereon.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

avin/-

U		T	
---	--	---	--

