

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52416 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- GOGRI District- Khagaria

Lakhan Nishad @ Lakhan Kumar Nishad, Son of Vidya Sagar Nishad,
Resident of Village- Usari Ward No.9, P.S.- Gogari, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajjan Kumar, Son of Subodh Chandra Chaudhary, Resident of Village-
Jamalpur, Gogari, Ward No.19, P.S.- Gogari, District- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar, advocate

For the Opposite Party/s : Mr.Sri Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

11 12-07-2019 This is an application for grant of anticipatory bail in connection with Gogri P.S. Case No. 35 of 2018, disclosing offences under Sections 406, 420, 323, 504 and 506 of the Indian Penal Code.

Case is under Sections 406, 420, 323, 504 and 506 of IPC.

Allegation against the petitioner is that he has taken Rs.20,00,000/- (Rupees Twenty Lakhs) from the informant for grant of a license of petrol pump to the informant.

On appearance of the opposite party no. 2, the matter was referred to the Patna High Court Mediation & Reconciliation Center, vide order dated 04.04.2019. The report of Mediator is available on record at Flag "A" 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 the parties agreed to settle the dispute after receiving amount of Rs.11,50,000/-, which is deposited by the petitioner in the account of opposite party no.2 namely, Sajjan Kumar, which is fully mentioned in the terms of agreement. The aforesaid terms and condition both the parties, have already settled the dispute and the opposite party no.2 has already received Rs.11,50,000/- in his account, now he is agreed to withdraw the case Gogri P.S. Case No. 35 of 2018.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 have admitted the above facts.

In such, view of the matter, let the petitioner, above named, surrender before the learned court below by 19.07.2019 and on surrender, he will be enlarged 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 Chief Judicial Magistrate, Khagaria, in connection with Gogri P.S. Case No. 35 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 as mutually agreed upon them.

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

With the aforesaid observations, this application is allowed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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