

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49226 of 2018

Arising Out of PS. Case No.-543 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Raj Mahrana @ Raja Mahrana, age about 21 years, son of Sri Gopal Prasad Saha @ Sri Gopal Prasad Saha, Resident of Mohalla- Dixon Road, Mundi Chak, Bhagalpur, P.O.- G.P.O. Bhagalpur, P.S.- Tilka Manjhi, District - Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr.Sanjay Kumar Pandey, Advocate
For the State	:	APP
For Opposite Party No. 2:	:	Mr. Gautam Kr. Kejriwal, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 11-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406 and 420 of the Indian Penal Code registered in connection with Kotwali P.S. Case No. 543 of 2017.

3. At the very outset, learned counsel for the petitioner invites reference to the mediator's report in Medication Proceeding No. 23 of 2019 recording the terms and conditions in which amicable settlement has been arrived at between the parties. It has, *inter alia*, been provided that total settlement amount of Rs. 2, 25,000/- in 15 monthly installments shall be paid by the petitioner to the opposite party no. 2.

4. Learned counsel for opposite party no. 2 appears and has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali P.S. Case No. 543 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That the provisional bail granted to the petitioner shall stand confirmed upon compliance of the terms and conditions as recorded in mediator's report in Medication Proceeding No. 23 of 2019.

(ii) That one of the bailors shall be a close relative of the petitioner.

(iii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(v) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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