

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55240 of 2018

Arising Out of PS. Case No.-3076 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Ayush Kumar Singh S/o Shashibhushan Singh, R/o Village- Chhatauni, P.S.-
Tariyani, District- Sheohar, presently at - Sadhu Gachhi, Akharaghat Road,
P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner

Versus

1. The State Of Bihar
2. Niraj Kumar Son of Sri Ram Narayan Thakur, R/o Mahavir Drug Agency,
Rewa Road Bhagwanpur, P.S.- Sadar, District- Muzaffarpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Arbind Kumar Sharma, Advocate
For the State	:	Mr. Anuj Kumar Srivastava, APP
For Opposite Party No.2	:	Mr. Alok Kumar Alok, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

7 08-03-2019 Heard learned counsel for the petitioner, learned APP for
the State as well as learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest for the offences
alleged under Section 420 of the Indian Penal Code and Section 138
of the Negotiable Instruments Act registered in connection with
Complaint Case No. 3076 of 2017.

3. At the very outset, learned counsel for the parties
submit that the dispute between the parties has now been amicably
settled on the terms and conditions enumerated in the agreement
dated 20.02.2019 in course of Mediation Proceeding No. 48 of 2019.
The parties reiterate their commitment to abide by the terms and
conditions of the agreement made between them.

4. 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, Muzaffarpur in connection with Complaint Case No. 3076 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

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

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

(iii) 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.

5. The petitioner shall make payment of the remaining amount of Rs. 85,000/- to the complainant within the stipulated period of three months from the date of agreement.

6. The provisional bail granted to the petitioner shall be confirmed upon payment of Rs. 85,000/- to the complainant before expiry of three months from the date of the agreement made on 20.02.2019. In case the said amount of Rs. 85,000/- is not paid in full to the complainant, his bail bond shall automatically stand cancelled.

BT/Chandran

(Vikash Jain, J)

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