

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.801 of 2020

Arising Out of PS. Case No.-247 Year-2019 Thana- NAUBATPUR District- Patna

RAM KUMAR SHARMA Son of Rang Nath Sharma Resident of Village-
Chesi, P.S.- Naubatpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Samrendra Kumar Jha
For the Opposite Party/s	:	Mr.Yogendra Kumar
For the informant	:	Mr. Sachidanand Choudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 17-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 420, 406, 379, 504, 506, 34
of the Indian Penal Code.

The prosecution case in short is that for executing sale
deed, the accused persons has taken the money from the
informant and when the informant demanded the money, he was
abused and threatened by the accused person.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. For oblique reasons, the present case has been instituted. The matter relates to settlement of accounts between the parties. Same can be resolved by way of a civil dispute. It is further submitted that the petitioner is ready to deposit a sum of Rs. 3,20,000/- (three lakhs twenty thousand) in the court below which shall be subject to the final disposal of the case.

On behalf of the State and the informant, it is submitted that they have no objection to the deposit of Rs. 3,20,000/- which is to be made by the petitioner in the Court below at the time of furnishing of bail bonds. Learned counsel for the informant further seeks a liberty to make an application in the Court below for referring the matter to the District Mediation Centre.

Considering the aforesaid facts and circumstances, **on deposit of a sum of Rs. 3,20,000/- (three lakhs twenty thousand) in the Court below which shall be subject to final disposal of the case**, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory



bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -II, Danapur in connection with Naubatpur P.S. Case No. 247 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the Court below shall refer the matter to the District Mediation Centre for the purpose of one time settlement.

(Sudhir Singh, J)

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