

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28246 of 2020

Arising Out of PS. Case No.-342 Year-2019 Thana- DESARI District- Vaishali

PAWAN SAH, Son of Visheshwar Sah Resident of Village- Sahariya, P.O.-
Sekhopur, P.S.- Desari, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-12-2020 Heard Ms. Bela Singh, learned counsel for the

petitioner and Mr. B. N. Pandey, learned APP for the

State.

The petitioner seeks bail in anticipation of his
arrest in connection with Desari P. S. Case No. 342 of
2019 dated 11.10.2019 (G. R. No. 5668 of 2019),
instituted for the offences under Sections 341, 323,
324, 307, 379, 504, 506 and 34 of the Indian Penal
Code.

The petitioner as well as the victim / informant
are agnates. The allegation against the petitioner is of
assaulting the victim on his head by means of an iron



rod. However, the parties saw the futility of continuing with the litigation and a settlement has been arrived at between the parties, which fact has been brought on record in the bail petition.

Neither in the bail petition nor in the impugned order is there any reference of the nature of injuries suffered by the victim at the hands of the petitioner.

Nonetheless, taking into account the fact that the parties are related to each other and have also decided to jettison the dispute for all times to come, this Court is inclined to grant anticipatory bail to the petitioner.

The petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-



Judge XVI-cum-Additional Chief Judicial Magistrate,
Xvth, Vaishali at Hajipur in connection with Desari P. S.
Case No. 342 of 2019 dated 11.10.2019 (G. R. No.
5668 of 2019), subject to the conditions as laid down
under Section 438 (2) Cr.P.C.

However, if the factum of settlement is not
found to be correct by the court below, this order shall
not be implemented.

The application stands allowed with the
aforesaid observation.

(Ashutosh Kumar, J)

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