

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43621 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA P.S. District- Patna

RAKESH RAUSHAN @ PANKAJ S/o Birendra Kumar Sharma @ Birendra Sharma @ Munna Resident of Mohalla- New Atwarpur, Bhauro Wan, P.O.- Kurthaul, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Smt. Neha Sharma D/o Sri Nand Kishore Sharma, W/o Rakesh Raushan @ Pankaj R/o Kadamkuan, Churi Market, P.S.- Kadamkuan, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amit Upadhyay
	:	Mr.Sanjeev Nikesh
For the Opposite Party/s	:	Mr.Surendra Prasad Singh (APP)
	:	Mr.Brajesh Tiwary
	:	Mr.Nagendra Dubey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 14-10-2020 Heard Mr. Amit Upadhyay, learned counsel for the petitioner and Mr. Surendra Prasad Singh, learned Additional Public Prosecutor appearing for the State of Bihar.

This application for grant of anticipatory bail arises out of Mahila P.S. Case No. 40 of 2019 registered for the offence punishable under Sections 341, 323, 498(A), 379, 504 and 506/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

It appears from the submission advanced on behalf of the petitioner and the opposite party no. 2 that the parties have settled their disputes amicably outside the Court by way of compromise.



Considering the aforesaid joint submission made on behalf of the parties, this application is allowed.

It is indicated that an Interlocutory Application is said to have been filed on behalf of the petitioner, which is not there on record and it has been stated at the bar that in the said Interlocutory Application, terms and conditions of the compromise have been mentioned. It goes without saying that the parties shall abide by the said terms and conditions.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Patna in connection with Mahila P.S. Case No. 40 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed within two months.



Since COVID-19 Pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

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