

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63751 of 2021

Arising Out of PS. Case No.-165 Year-2018 Thana- BETTIAH CITY District- West
Champaran

RAJENDRA MISHRA S/o Late Gauri Mishra R/o Village Jokaha, Bettiah
Dih, P.S. - Bettiah Muffasil (Manuapul), District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunit Kumar Sharma S/o Ratneshwar Thakur Resident of Village -
Dakbangala Road, Ward No. 37, P.S. Bettiah Nagar, District - West
Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

The petitioner apprehends his arrest in connection
with Bettiah (Town) P.S. Case no. 165 of 2018 registered under
sections 420, 406, 341, 323, 504 of the Indian Penal Code as
well as section 138 of the N.I. Act.

Earlier petitioner approached this court for
anticipatory bail and his prayer for anticipatory bail was
rejected vide order dated 29.4.2019 passed in Cr. Misc. no.
26991 of 2019 and thereafter petitioner has filed the present
petition vide Cr. Misc. no. 63751 of 2021 on a fresh ground that



the informant has received entire alleged amount from the petitioner and now, he does not persuade the case. The petitioner and the informant have entered into compromise and copies of the compromise have been submitted before the court below as annexures 3 and 4. Further in respect of maintainability of anticipatory bail petition, learned counsel for the petitioner places reliance on the decision reported in AIR 2010 SC 1225 (Ravindra Saxena vs State of Rajasthan).

Having considered the subsequent development having taken place between the parties which resulted into compromise and as per above submission informant has received all alleged amount and he does not want to persuade his case. In my view, lenient approach may be taken in respect of petitioner. Let the petitioner, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case no. 165 of 2018 subject to condition as laid down under section 438(2) Cr.P.C.

Further condition is that the court below will verify the factum of compromise from the informant at the time of



accepting bail bond.

(Shailendra Singh, J)

s.hassan/-

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