

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59707 of 2023

Arising Out of PS. Case No.-532 Year-2021 Thana- MUNGER COMPLAINT CASE
District- Munger

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Dipak Jha @ Dipak Kumar Jha @ Deepak Kumar Jha, Son Of Shiv Shankar Jha R/O-Maura, P.O-Maura, P.S.-GIDDHUAR, Distt.-JAMUI Also Residing At Village-Nadi Dhaura, P.O. And P.S.-CHIRKUNDA, Distt.-DHANBAD, Jharkhand

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mausam Devi, Wife Of Dipak Jha D/O-Shambhu Nath Upadhyay, Presently Residing At Village-Mathura, P.O. And P.S.-TARAPUR, Distt.-MUNGER

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Anand
For the State	:	Mr. Lalan Kumar
For the Complainant	:	None

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 02-07-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. No one appears on behalf of the complainant.

3. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 323, 504 and 498A of the Indian Penal Code.

4. The learned counsel for the petitioner draws the attention of the Court to order dated 22.04.2024 wherein it has been recorded that on intervention of the well-wishers, the petitioner and the opposite party no.2 have resolved their dispute amicably by way of one time settlement. Further, the



petitioner has agreed to pay of Rs.3.5 Lacs by way of one time settlement to the opposite party no.2, to which the opposite party no.2 has agreed.

5. Today, when the case is taken up, the learned counsel appearing on behalf of the petitioner reiterates his submission and submits that out of Rs.3.5 Lacs, the opposite party no.2 has already received Rs.2.5 Lacs and Rs.One lac is lying. It is further submitted that demand draft of Rs.One Lac has been prepared and has been submitted in the Court of learned S.D.J.M., Munger and the opposite party no.2 can receive the same from the Court of the learned S.D.J.M., Munger. It is further submitted that since the dispute stands resolved amicable as such, no one has appeared on behalf of the opposite party no.2.

6. Learned A.P.P. opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Sub-Divisional Judicial Magistrate, Munger in connection with Munger Complaint Case No.532 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, the opposite party no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event, if the dispute has not been resolved by way of one time settlement or has not received the entire amount of Rs.3.5 Lacs.

(Satyavrat Verma, J)

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