

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61290 of 2024

Arising Out of PS. Case No.-443 Year-2023 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Rachit Kumar S/o Jay Kumar Rai R/o Village- Manikpur, Musharniya, PS-
Puriton, Distt. - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prem Ranjan Kumar S/o Chandeshwar Sah R/o vill - Vauprasad, P.O. -
Parmanandpur, P.S. - Dumra, Distt. - Sitamarhi, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raja Rai
For the Opposite Party/s	:	Mr. Abhay Kumar Roy
For the O.P. No. 2	:	Mr. Santosh Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-12-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the O.P. No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406 and
420 of the Indian Penal Code read with Section 138 of the N.I.
Act.

3. The learned counsel appearing on behalf of the O.P.
No. 2 submits that the case was referred for mediation and the
issue in between the petitioner and the O.P. No. 2 was resolved
before the learned Mediator as would manifest from the
mediation report dated 21.11.2024. It is next submitted that in



the mediation proceedings, it was amicably agreed in between the parties that petitioner will give first installment of Rs. 50,000/- in the first week of January, 2025 in the bank account of O.P. No. 2 and thereafter shall make the rest of the payment in eight installments i.e. by September, 2025.

4. Learned counsel appearing on behalf of the petitioner submits that now the petitioner cannot resile from the agreement entered in between him and the O.P. No. 2 before the learned Mediator.

5. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with CI-443 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned Trial Court before accepting the provisional anticipatory bail bonds of the petitioner shall ensure that first installment of Rs. 50,000/- as



agreed has been paid by the petitioner to the O.P. No. 2.

7. It is further made clear that if the entire amount is not paid on or before 30 September, 2025, in that event the learned Trial Court shall be at liberty to cancel the provisional bail bonds of the petitioner.

8. It is further made clear that the learned Trial Court shall forthwith confirm the provisional anticipatory bail granted to the petitioner in the event if the entire amount is paid to the O.P. No. 2 on or before 30th September, 2025.

9. It is also made clear that the if the entire amount is paid to the O.P. No. 2 on or before 30.09.2025, the O.P. No. 2 shall withdraw the instant criminal case filed against the petitioner.

(Satyavrat Verma, J)

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