

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33456 of 2024

Arising Out of PS. Case No.-782 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Vinay Kumar Prabhakar Son of Bindeshwar Ram Resident of Village-
Chhajan Pasarwara, P.S.- Kurhani, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nandlal Prasad Son of Late Yamuna Prasad Resident of Village- Bishunpur
Dhir, P.S.- Kalyanpur, Dist.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP
Mr. Shashi Bhushan Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 07-01-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offence under Section 406 of the Indian
Penal Code and Section 138 of the N.I. Act.

3. At the outset, learned counsel for the petitioner
submits that the dispute between the parties has been settled
amicably through the process of mediation and for this, the
petitioner offered to pay **Rs. 6,25,000/-** (Rupees six lacs twenty
five thousand) in ten installments, as full and final settlement
amount and opposite party no. 2 has accepted the offer and gave
his consent.



4. Learned counsel for the opposite party no. 2 does not dispute the contention made on behalf of petitioner and confirms the fact regarding settlement entered into between the parties.

5. Here, it is relevant to mention that earlier, with consent of the parties, the matter was referred to Mediation & Conciliation Centre of Patna High Court to explore the possibility of settlement between the parties, which has been resolved in terms of Memorandum of Agreement annexed with Mediator's report.

6. Considering the fact that dispute between the parties has been resolved, the prayer for anticipatory bail of petitioner is allowed.

7. Let the petitioner, as named above, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of **Rs.10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari (East Champaran) in connection with Complaint Case No. 782 of 2019 (Trial No. 793 of 2022), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that ***petitioner shall abide by all the***



terms & conditions, mentioned in Memorandum of Agreement, failing which, learned Court below shall be at liberty to cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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