

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12754 of 2016

Arising Out of PS.Case No. -205 Year- 2014 Thana -PATRAKARNAGAR District- PATNA

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Rajiv Shankar Tiwary @ Rajiv Shankar Tiwari, Son of Sri Umesh Tiwary, resident of C-1, Sector-2, Noida, Police Station Gautam Budha Nagar and the District of Gautam Budha Nagar in the State of Uttar Pradesh presently Managing Director of Pyramid Propmart Pvt. Ltd. Noida Uttar Pradesh.

.... Petitioner

Versus

1. The State of Bihar.
2. Dr. Arvind Kumar Son of Late Durga Singh, resident of Mohalla Chitragupta Nagar, Kankarbagh, P.S. Patrakar Nagar, in the district of Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Sharma, Advocate.

For the Opposite Parties : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

11 05-10-2016 Heard both sides.

The petitioner apprehends his arrest in Patrakar Nagar P.S. Case No. 205 of 2014 registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

The informant alleged that the petitioner took Rs. 1.42 Crore from him for giving 40 Bighas of land at the rate of Rs. 1000/- per square yard. The informant paid the entire amount through RTGS. The land was transferred in the joint name of the informant and the petitioner, but the petitioner got it transferred in his own name. Later on, the petitioner agreed to transfer 17.25 Bighas of fully developed land to the informant by 16.09.2012, but

the petitioner failed to do so.

Learned counsel for the petitioner submits that the matter was sent to mediation centre and the mediator has reported vide its report dated 19.09.2016, that the petitioner had agreed to pay the entire amount with interest vide agreement dated 16.09.2016. The informant has also got no objection.

Taking into consideration the agreement, that the petitioner is ready to pay the entire amount as per the terms of the agreement, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the Judicial Magistrate, 1st Class, Patna in Patrakar Nagar P.S. Case No. 205 of 2014, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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