

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25200 of 2019

Arising Out of PS. Case No.-497 Year-2013 Thana- MUFFASIL District- West Champaran

1. AMIT KUMAR PANDEY S/o Sri Kedar Pandey, Resident of Village- Bankat Nonaiya, P.S.- Paharpur, District- East Champaran.
2. Shivbalak mahto, S/O Ramanand Mahto, Resident of Village- Bankat Nonaiya, P.S.- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar and Anr.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar
For the Opposite Party/s	:	Mr.Nirmala Kumari
For O.P. No. 2	:	Mr. Sanjay Kumar No. 7
		Mr. Anant Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 11-09-2019 This application, for grant of anticipatory bail, arises out of Bettiah Muffasil P.S. Case No. 497/2013, disclosing offences under Sections 406, 420, 387/34 of the Indian Penal Code.

Allegation against the petitioners is that they received an amount of Rs. 3,12,000/- and Rs. 3,50,000/- respectively from the informant towards the supply of sand but they supplied only fifty trailers of sand and are not returning the remaining amount.

Submission of learned counsel for the petitioners is that they have already supplied the sand equal to the sum, they have received from the informant and out and out false and



concocted allegations have been levelled.

Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant has opposed the prayer for bail and drawn the attention of this court towards the affidavit sworn by the petitioners, in which, they have accepted to return the amount of Rs. 3,95,000/- within one year but the same has been controverted by the petitioners on the ground that the said affidavit is with respect to some other transaction.

In view of the above facts, this application is disposed of with direction to the petitioners to surrender in the court below on 25.09.2019, thereafter, the court below shall release the petitioners on provisional bail for a period of four months, during which, period, the court below shall try to reconcile the dispute between the parties either by himself or by sending the matter to District Mediation Center and, thereafter, on submission of report with regard to final reconciliation between the parties, the court below shall pass an appropriate order either confirming the provisional or bail or cancelling the same.

(Vinod Kumar Sinha, J)

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