

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67786 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- BODHGAYA District- Gaya

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1. Rameshwar Yadav, S/o Late Chulhan Yadav
 2. Pintu Kumar, S/o Rameshwar Yadav, Both R/o-Village- Rampur, P.S.- Bodh Gaya, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Ajay Kumar -2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 04-02-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406 and 420/34 of the IPC.

The prosecution case, as per the written report of Munna Kumar, dated 06.05.2018, submitted to the Station House Officer, Bodh Gaya Police Station, is to the effect that petitioners, being the co-villagers of the informant came and offered the informant to sale a piece of land. Subsequently, the



agreement to sale was executed on 05.07.2017 and thereafter the informant paid Rs. 6,70,000/- to the petitioners and Rs. 2,10,000/- to one Sanju Yadav. It is alleged that either on one pretext or other, neither the sale deed was executed nor the money was returned.

It appears from the records that on the joint prayer of the parties, the matter was referred to the Mediation Centre vide order dated 13.12.2018. The report of the Mediator dated 07.01.2019, kept at flag-'A' reflects that the issue has been reconciled between the parties and the petitioners have returned the entire amount to the informant, hence the informant does not want to pursue the present case.

Learned counsel for the informant admits the factum of settlement arrived during Mediation and return of the entire alleged amount, hence he is not opposing the prayer for bail of the petitioners.

Considering the present stand of the parties and keeping in view the report of the Mediator, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to



the satisfaction of learned CJM, Gaya in connection with Bodh
Gaya P.S. 278 of 2018, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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