

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79838 of 2018**

Arising Out of PS. Case No.-636 Year-2017 Thana- ARA NAGAR District- Bhojpur

1. Sonpyaria Devi @ Sonpariya Devi Wife of - Ram Bachan Prasad.
2. Suryakant Kumar, Son of Ram Bachan Prasad,  
Both residents of Village +P.O.+P.S.-Dulhin Bazar, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                            |
|----------------------|---|------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Mithilesh Kumar Rai, Adv.                               |
| For the State        | : | Mr. Surendra Prasad Singh, APP                             |
| For the O.P. No.2    | : | Mr. Sanjay Kumar, Adv.<br>Mr. Surendra Kumar Choubey, Adv. |

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      15-04-2019                      This is an application for grant of anticipatory bail in connection with Ara (Town) P.S. Case No. 636 of 2017, disclosing offences under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code.

Allegation as per F.I.R. is that an agreement was reached for sell of a piece of land of Rs.9,75,000/- and after that Rs.50,000/- was given as advance and agreement was made between the parties and thereafter again for sell of 2 acres 7 dhurs of land an agreement was made for of Rs.16,58,000/- and as advance Rs.1,00,000/- was given and the complainant has paid Rs.2,40,000/- on 16.07.2015 and one Suryakant Kumar and rupees 5-5 lacs has been given in front of the witnesses, but in



spite of taking Rs.23,95,000/- and the expenses made out, they are not executing the sale-deed and on demand of money, they are threatening him.

From perusal of the record it appears that on appearance of opposite party no.2, the matter was referred to the Mediation Center vide order dated 16.01.2019 and the report of the Mediator is available now, which shows that the dispute between the parties was been resolved through the process of mediation on the terms of condition as mentioned in the memorandum of agreement.

Submission of learned counsel for the petitioners is that the dispute was settled between the parties with the process of mediation.

Heard learned A.P.P as well as learned counsel for the opposite party no.2.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur (Ara), in connection



with Ara (Town) P.S. Case No. 636 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that the petitioners will abide by terms and conditions mentioned in the memorandum of agreement, otherwise the opposite party no.2 is at liberty to move for cancellation of bail bonds of the petitioners.

Let a copy of the Mediator's report and memorandum of agreement be sent to the court below.

**(Vinod Kumar Sinha, J)**

Amjad/-

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