

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14658 of 2020

Arising Out of PS. Case No.-568 Year-2019 Thana- CHAPRA TOWN District- Saran

1. RAMESH KUMAR GUPTA @ RAMESH KUMAR S/o Brij Kishor Prasad R/o Mohalla- Sri Nandan Road, Dahiyawan Tola, P.S.- Chapra Town, District- Saran at Chapra
2. Arvind Kumar @ Shashi Bhushan S/o Late Brij Kishor Prasad R/o Mohalla- Sri Nandan Road, Dahiyawan Tola, P.S.- Chapra Town, District- Saran at Chapra
3. Manorma Devi W/o Late Brij Kishor Prasad R/o Mohalla- Sri Nandan Road, Dahiyawan Tola, P.S.- Chapra Town, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard Sri Vindhyachal Singh, the learned counsel for the petitioners, Sri Anant Kumar Bhaskar, the learned counsel for the informant and Sri Ashok Kumar, the learned APP appearing for the State.



This is an application for grant of anticipatory bail in connection with Town (Chapra) P.S. Case No. 568 of 2019 registered for the offence punishable under Sections 406, 420, 419, 467, 468, 471 and 120(B) of the Indian Penal Code.

The case of the prosecution in brief is that the informant had entered into a negotiation to purchase the house of the accused petitioner, namely, Rakesh Kumar Gupta herein and sale consideration of Rs. 19,00,000/- was fixed, whereafter the informant is stated to have paid a sum of Rs. 18.76 lacs and had also purchased stamp for the purposes of registration of sale deed, however, the petitioners are refusing to execute the sale deed.

The learned counsel for petitioners has submitted that the dispute is in between the relatives and talks of compromise is going on in between them, hence, the present case can be referred to mediation so that the disputes amongst the petitioners and the informant can be sorted out amicably.



Per contra, Sri Anant Kumar Bhaskar, the learned counsel for the informant submits that the informant is not averse to the proposal of the petitioner for settlement of the disputes amicably and the matter can be referred for mediation.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that a family dispute has arisen in between the informant and the petitioners pertaining to sale / purchase of land, I deem it fit and proper to grant liberty to the petitioners to surrender before the learned court below within a period two weeks from today, whereupon the petitioners shall be granted the privilege of provisional bail on the very same day by the learned court of Chief Judicial Magistrate, Saran at Chapra in connection with Town (Chapra) P.S. Case No. 568 of 2019.

It is further directed that the learned court below shall then issue summons to the informant and engage the petitioners and the informant in



mediation proceedings as also make all endeavour to settle the dispute amongst them amicably.

It is also directed that depending upon the mediation proceedings, as also upon application of independent mind, the learned trial court shall take a final call with regard to either confirming the provisional bail to be granted to the petitioners or revoking the same.

The present petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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