

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14017 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- ASHTHAWAN District- Nalanda

AMIT KUMAR @ DABLU Son of Late Anil Kumar Sinha @ Suresh Prasad
Resident of Village- Sherpur, P.S.- Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rishideo Kumar Singh, Advocate
		Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 07-12-2021 Heard Mr. Rishideo Kumar Singh, learned Advocate for the petitioner and Mr. Satya Prakash for the opposite party no. 2. The State is represented by Mr. Abhay Kumar Roy, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Asthawan P.S. Case No. 214 of 2019 dated 05.10.2019 instituted for the offences under Sections 406, 420, 323, 504/34 of the Indian Penal Code.

From the F.I.R., it appears that with respect to a plot of land which was promised to be conveyed to opposite party no. 2, he made a payment of approximately Rs.10,00,000/- (Rs. 9,92,000/-) to the petitioner but the land in question was sold to somebody else.



Learned counsel for the petitioner has submitted that the endorsement made behind the agreement paper does not appear to be genuine.

Learned counsel for the opposite party no. 2 however has submitted that most of the amount was paid by his late brother and later the payments were made by him for getting the land in question transferred to the opposite party no. 2. Not only has the money not been returned but the land in question has been sold to a third party.

This Court had referred the matter to the Mediation Centre of Patna High Court and had granted interim reprieve to the petitioner. It appears that the mediation process has not been concluded perhaps because of Pandemic closure.

Since lot of time has already been spent over mediation which could not even begin, the records of this case is recalled from the Mediation Centre of Patna High Court.

This Court directs that if the petitioner makes payment of Rs. 10 lacs, which would be under protest and subject to his rights and contentions later, to the opposite party no. 2 within a period of four months and furnishes the receipt of such payment before the court, he shall be released on bail on his furnishing bail bonds



in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount.

It would be obligatory on the part of opposite party no. 2 to grant receipt of the payment made by the petitioner forthwith.

Till such time, the interim protection granted to the petitioner shall continue.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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