

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20401 of 2020

Arising Out of PS. Case No.-568 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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RAVINDRA SAHANI @ RABINDRA SAHANI Son of Late Nagina Sahni
Resident of Village - Akhtiyarpur, P.S.- Karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ravindra Thakur Son of Late Bindeshwari Thakur Resident of Mohalla -
Soda Godam Lxmi Chowk Brahmpura, P.S.- Brahmpura, District -
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Choudhary, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the OP No. 2	:	Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

15 06-07-2022 Heard Mr. Ashok Kumar Choudhary, learned

Advocate for the petitioner and Mr. Sanjay Kumar for the

O.P. No. 2. The State is represented by Mr. Md. Aslam

Ansari, learned APP.

The petitioner is said to have received
approximately Rs. 16 lakhs through various modes
including cheques which admittedly have been encashed by
the petitioner.

However, on the submission of the petitioner that
there could be a settlement between the parties, the
petitioner was granted provisional bail and the matter was



referred to the Mediation Centre of Patna High Court.

The petitioner is not ready to return any part of the amount which he has received. The reason for his not returning the money is his penury. He further submits that he is not a person of letters and therefore he did not understand that the transaction was being made with respect to a family property where the respective shares of the petitioner was not appropriately apportioned. He further submits that during the period that his mother was ill and was being treated in a hospital, the petitioner made arrangements for money and thereafter he made payments to the O.P. No. 2; but as ill-luck would have it, he did not obtain any receipt for such payments.

The aforesaid grounds do not appear to be plausible and therefore is not acceptable.

Though the petitioner has remained in custody for about five months but considering his conduct, I am not inclined to grant bail to him.

The order dated 19.06.2020 granting provisional bail is, hereby, recalled.

The prayer for bail of the petitioner is rejected.



Let the petitioner surrender before the court below within a period of four weeks positively, failing which, the court below shall take all possible coercive measures to take the petitioner in custody.

The petitioner may file a fresh application for bail, which shall be considered by the court below on its own merits without being prejudiced by the fact that earlier provisional bail was granted but for the petitioner not settling the dispute or returning the amount to the O.P. No. 2, the provisional bail granted to him was cancelled.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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