

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36242 of 2021

Arising Out of PS. Case No.-256 Year-2020 Thana- DIDARGANJ District- Patna

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Lalan Singh @ Lalan Kumar Singh Son Of Late Ramashis Singh Resident Of
Village - Fatehpur, P.S.- Didarganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Takriwal Son of Late Matadin Takriwal Resident of Village -
Kankarbagh, P.S.- Kankarbagh, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-11-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 406, 420 of the Indian Penal Code and Section

138 of the Negotiable Instruments Act.

The case of the prosecution is that the

informant has made an agreement with the petitioner

and given Rs. 75 lakhs to the petitioner for purchase of

land of godown but later on the agreement was

cancelled. The petitioner thereafter agreed to return the



money but out of Rs. 75 lakhs, only Rs. 45 lakhs was returned and for rest of the amount, the petitioner has issued a cheque which got bounced due to insufficient fund.

With agreement of both the parties, the matter was referred to the Mediation Centre of the Patna High Court vide order dated 25.05.2022.

The report of the Mediator is at Flag-M which suggests that both sides have agreed to settle the dispute through the process of mediation. The petitioner agreed to pay Rs. 34 Lakhs to the informant. The informant also accepted the offer of the petitioner and both the parties mutually agreed to settle their dispute and agreed that there shall be no future dispute in the matter. The informant also agreed to withdraw the cases filed by him against the petitioner.

It is submitted by learned counsel for the petitioner that in pursuance to the settlement in the Mediation Centre, the petitioner has already paid Rs. 32



lakhs to the informant and he undertakes to pay rest amount of Rs. 2 lakhs to the informant. A supplementary affidavit to that effect has been filed.

Learned counsel appearing on behalf of the informant does not controvert the version of the petitioner.

The petitioner is directed to pay rest amount of Rs. 2 lakhs to the petitioner before filing of the bail bonds.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IVth, Patna City in connection with Didarganj P.S. Case No. 256 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



The bail bonds of the petitioner will be accepted
by the learned Court below on showing receipt deposit of
of Rs. 2 lakhs in favour of the informant.

(Sunil Kumar Panwar, J)

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