

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28928 of 2022

Arising Out of PS. Case No.-920 Year-2021 Thana- BIHTA District- Patna

Nutan Sinha @ Nutan Singh, wife of Late Shankar Sharan Singh, Resident of Mohalla-Road No.1, Shivpuri, L.B.S. Nagar, P.S.-Srikrishnapuri, District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Ranjeet Kumar Singh, Advocate
For the State	:	Mr.Shyam Kumar Singh, APP
For the Informant	:	Mr. Upendra Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

9 07-02-2023 Earlier, by order dated 06.07.2022, the petitioner had been granted provisional bail in connection with Bihta (Neora O.P.) P.S. Case No.920 of 2021 registered for the offences under Sections 419, 420, 467 and 468/34 of the India Penal Code, which is pending in the court of learned Additional Chief Judicial Magistrate-1st, Danapur.

As per the prosecution case, the petitioner having taken an advance of a substantial sum of Rs.61,00,000/- has resiled from her agreement to execute the sale deed in respect of the land in question.

Learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State are present.

Undisputedly, the records show that Rs.39,00,000/- was paid and for the remaining amount, the parties were referred to mediation and the petitioner was allowed provisional bail on 06.07.2022.

The parties today appeared, have submitted that



though the petitioner was willing to pay the remaining amount as per order dated 06.07.2022, the informant has refused to accept the same, since she has already resorted to civil remedies for relief in respect of the same transaction, which forms the foundation of the instant criminal proceedings.

The learned counsel for the petitioner submits that the petitioner has already established his *bona fides* and the informant is not willing to accept any payments, petitioner's provisional bail may be confirmed. It is also stated in paragraph 3 of the bail application that she has no antecedents.

Considering the aforesaid circumstances, the fact that the informant has resorted to civil proceedings as also the claimed *bona fides* of the petitioner, the Court is inclined to allow the prayer.

The provisional bail granted to the petitioner under order dated 06.07.2022 stands confirmed.

(Madhuresh Prasad, J)

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