

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45424 of 2023

Arising Out of PS. Case No.-223 Year-2015 Thana- RAJIVNAGAR District- Patna

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1. Ashok Kumar, Managing Director, Neelkantha Solution Pvt. Ltd. Son Of Ambika Yadav Resident Of Magistrate Colony Main Road, P.O. - Ashiana Nagar, P.S. - Rajiv Nagar, District - Patna - 800024
 2. Pintu Kumar Son Of Ambika Yadav Resident Of Magistrate Colony Main Road, P.O. - Ashiana Nagar, P.S. - Rajiv Nagar, District - Patna - 800024

... .. Petitioner/s

Versus

1. The State Of Bihar, Patna
2. Smt. Ranjana Sharan Wife Of Shyam Kinkar Sharan Resident Of Flat No.205, Block B, Mahavir Apartment, Kadankuan, Near Jahaji Kothi, P.S. - Kadamkuan, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Adv Mrs. Preeti, Adv
For the State	:	Mr.Narsingh Tanti, APP
For the Informant	:	Mr. Ansul, Adv Mr. Gautam, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-11-2023 1. Heard counsel for the petitioners, learned APP along with learned counsel for the OP No. 2.

 2. Learned counsel for the OP No. 2, at the outset, very fairly submits that he has instructions to make submission that the entire amount as alleged in the FIR has been paid to the OP No. 2 by the petitioners.

 3. Learned counsel for the petitioners submits that the dispute was purely civil to which a criminal colour was given. It is next submitted that the petitioner had approached this court



seeking anticipatory bail by filing Cr. Misc. No. 7283 of 2016. It is further submitted that this court by order dated 5-5-2016 was pleased to grant anticipatory bail to the petitioner with a condition that petitioner shall pay to the informant a sum of Rs.1,91,500/- per month beginning from 15th of May, 2016 and on 15th day of each month subsequent thereto. It is next submitted that in compliance of the order dated 5-5-2016 in Cr. Misc. No. 7283 of 2016, the petitioner has paid the entire installment as such the entire amount of Rs. 15,32,000/- which the OP No. 2 had paid to the petitioner for purchasing of flat, has been returned.

4. Considering the submission made by the learned counsel for the petitioners that the petitioners have paid the entire amount of money due to the OP No. 2 and the learned counsel for the OP No. 2 not disputing the said fact, as such the FIR being Rajiv Nagar PS Case No. 223 of 2015, GR No. 5961 of 2015 dated 24-08-2015 registered under Sections 406 and 420 of the IPC pending in the court of learned ACJM-XI, civil court, Patna, is hereby quashed.

(Satyavrat Verma, J)

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