

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5504 of 2024

Arising Out of PS. Case No.-1193 Year-2020 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

-
1. Mukesh Kumar Singh, aged about 38 years, Gender, Male, SON OF SRI KRIT NARAYAN SINGH, Resident of Ram Janam Nagar, Road No.2, Holding No.10, P.S.-Kadma, Jamshedpur, District-East Singhbhum
 2. ROUSHAN SINGH, aged about 30 years, Gender, Male, SON OF SRI KEDAR SINGH, RESIDENT OF RAM JANAM NAGAR QUARTER NO. 3, ROAD NO. 1, PS- KADMA, JAMSHEDPUR, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. BHAVESH KUMAR, aged about 35 years, Gender, Male, SON OF KHELAWAN RAJAK, RESIDENT OF VILLAGE- QUARTER NO. 5, LH 8, HOUSING BOARD COLONY BARARI, PS- BARARI, DISTT- BHAGALLPUR, PIN- 812003 AT PRESENT POSTED AT 443 (1), ASC SUPPLY PLATOON, INDIAN ARMY, TRIVENDRAM KERALA, PIN- 905403

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shankar Dayal Singh, Advocate Mr. Deepak Pd. Sinha, Advocate
For the complainant	:	Mr. Sadanand Paswan, Advocate
or the Opposite Party/s	:	Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 08-05-2024 Heard Mr. Shankar Dayal Singh along with Mr. Deepak Pd. Sinha, learned counsels appearing on behalf of the petitioners; Mr. Sadanand Paswan, learned counsel for the complainant and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Complaint Case No. 1193/2020 registered for the



offence(s) punishable under Sections 149, 120(B), 406, 420, 467, 468, 471, 500, 506 and 34 of the Indian Penal Code.

3. As per the complaint, the complainant has transferred a sum of Rs.10,50,000/- into the account of his wife, who later on transferred the said amount allegedly in the account of the petitioners, who had promised to sell a piece of land to the complainant.

4. The matter was heard on 21.03.2024 and it was agreed by the parties that the petitioners will return at least a sum of Rs. Six lacs by a demand draft and the complainant will withdraw the other case filed against the petitioners after receiving the said amount.

5. Today, two demand drafts bearing draft No.000006 and 570065 of different banks, namely, Bandhan Bank and IDFC First Bank of Rs.3,00,000/- each, respectively, have been handed over to Mr. Sadanand Paswan, learned counsel appearing on behalf of the complainant/opposite party no.2.

6. Out of remaining amount, a sum of rupees four lacs is said to have been given to Satyanarayan Das, the landowner and rupees one lacs to one Kishore Kumar, maternal father-in-law of wife of the complainant, who has also been made accused.



7. It has been agreed by Mr. Sadanand Paswan that he will advice the complainant to withdraw the complaint which has been filed by the wife of the present complainant in Jamshedpur so that parties may arrive at an amicable settlement.

8. Considering the fact that the parties have agreed to resolve their dispute amicably, I find that the information given by learned counsel appearing on behalf of the complainant that the parties will proceed to settle their dispute and before that complaint filed by the wife is required to be withdrawn, so that all the parties may resort to resolve the dispute amicably within a period of six weeks.

9. In the meantime, the petitioners are directed to be released **provisionally** on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned JMFC, Bhagalpur in connection with Complaint Case No. 1193/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

10. If the parties resolve their dispute within the aforesaid period of six weeks and file a joint affidavit within a period of eight weeks in respect of their settlement, in that case,



the provisional bail granted to the petitioners shall be made absolute by the District Court on such terms and conditions, as the District Court deems it fit and proper

11. The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

