

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13748 of 2024

Arising Out of PS. Case No.-107 Year-2023 Thana- ASHOK PAPER MILL District-
Darbhanga

Prabhas Kumar Chaudhary S/o- Late Upendra Chaudhary Village- Sidhauri
Ps- Ashok Paper Mills Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhirendra Kumar Jha, Advocate.
For the State	:	Mr.Raj Kishor Singh, APP.
For the Informant	:	Mr. Ranjit Kumar Yadav, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 18-04-2024 Heard Mr. Dhirendra Kumar Jha, learned counsel
appearing on behalf of the petitioner; Mr. Raj Kishor Singh,
learned APP for the State and Mr. Ranjit Kumar Yadav, learned
counsel for the informant.

2. The petitioner seeks pre-arrest bail in connection
with Ashok Paper Mills P.S. Case No. 107 of 2023 registered for
the offence punishable under Sections 406 and 420 of the Indian
Penal Code.

3. As per the allegation made in the F.I.R., it appears
that the petitioner dishonestly received Rs.11 lakhs from the
informant after making promise with the informant that he will
sell 5 Katha land appertaining to Khata No. 184, Khesra No.
1501 at the rate of Rs.2,50,000/- per katha.



4. Learned counsel appearing on behalf of the petitioner submitted that the informant is a contractor of one company M/s Ganesh Ram Dokaniya Construction and petitioner is working as site supervisor. The payment has been made in the account of the petitioner by the informant for other purpose and not on account of any promise made by the petitioner to sell any piece of land belonging to him as mentioned in the F.I.R. Informant has tried to put pressure on the petitioner making such frivolous transfer of money amounting to Rs.11 lakhs, which is not sustainable, but the petitioner admits that only an amount of Rs. 8,97,070/- has been paid in the account of the petitioner. Admitting the said fact, learned counsel appearing on behalf of the petitioner has shown his desire that the petitioner wants to resolve the dispute by amicable settlement with the informant and for the said purpose he seeks two months time.

5. Mr. Ranjit Kumar Yadav, learned counsel, has tendered his appearance on behalf of the informant and he has no objection, in case, the dispute is resolved between the parties by amicable settlement.

6. Considering the rival submissions made on behalf of the parties, as well as, the admitted fact that an amount of Rs.



8,97,070/- has been transferred into the account of the petitioner from the account of the informant and the parties have now agreed to resolve the dispute by amicable settlement, I find it proper that the petitioner be released on provisional bail for a period of two months, on such terms and conditions, as the District Court deems it fit and proper, so that the parties may compromise on amicable terms and conditions.

7. In case, the parties resolve their dispute amicably and file their respective or joint affidavit, then in that case, the provisional bail granted to the petitioner shall be made absolute on such terms and conditions as the District Court deems it fit and proper after the said period.

8. In case of failure, this order shall lose its force automatically and the parties may avail appropriate remedy in accordance with law.

9. The bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

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