

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17392 of 2024

Arising Out of PS. Case No.-237 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. Raj Kumar Singh Son of Late Babu Ram Singh Resident of Village- Kendui, Police Station- Magadh Medical, Dist.- Gaya
 2. Ashok Kumar Singh @ Ashok Singh son of Late Babu Ram Singh Resident of Village- Kendui, Police Station- Magadh Medical, Dist.- Gaya
 3. Dinesh Singh Son of Late Babu Ram Singh Resident of Village- Kendui, Police Station- Magadh Medical, Dist.- Gaya
 4. Rana Pratap Singh @ Ram Pratap Singh Son of Shrawan Singh Resident of Village- Kendui, Police Station- Magadh Medical, Dist.- Gaya
 5. Radha Devi @ Radhika Devi Wife of Ashok Kumar Singh @ Ashok Singh Resident of Village- Kendui, Police Station- Magadh Medical, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar, Advocate
For the Opposite Party/s	:	Ms. Anita Kumari, A.P.P.
For the Informant	:	Mr. Rakesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 406, 420, 341, 323, 379, 506, 504/34

3. As per the prosecution case, these petitioners who are gotiyas of the informant have taken Rs. 40 lacs from the informant in lieu of transferring their share and title of the land bearing Khata No. 270, plot No. 2368 by an agreement. It is



further alleged that on 1.5.23, while the informant was making boundary wall over the said land, these petitioners came there and stopped the work and on protest, they assaulted and abused the informant took away his gold chain.

4. It is submitted on behalf of the petitioners that the dispute involved in the present case is of civil nature and no criminal offence is made out against the petitioners. Rest of the allegations are ornamental only to make the case grave. It is next submitted that F.I.R. has been lodged after inordinate delay of 17 days and there is no plausible explanation for the same.

5. Learned counsel for the informant vehemently opposed the bail application and submitted that these petitioners are named in the F.I.R. and there is specific allegation against them that they took Rs. 40 lacs from the informant and assaulted him and threatened to kill him. He further submits that earlier the case was referred to the mediation center *vide* order dated 14.03.2024 where the matter stood resolved between the parties *vide* Mediator's Report dated 05.07.2024. However, today learned counsel for the petitioners submits that the alleged settlement does not bear signature of other four petitioners and the matter was settled down without their consent and as such, he is disputing the terms of settlement.



6. In view of the aforesaid submissions made on behalf of the informant, the case has been heard and is being disposed of on merit.

7. Considering the nature of accusation and conduct of the petitioners, prayer for bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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