

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32393 of 2024**

Arising Out of PS. Case No.-506 Year-2023 Thana- BODHGAYA District- Gaya

Narendra Kumar Singh, S/o Indradeo Singh, R/o vill-Matihani, P.S.-
Bodhgaya, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Atul Chandra, APP
For the Informant : Mr. Sahwaj Alam, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 31-07-2024 Heard Mr. Anil Kumar Sinha, learned counsel for the
petitioner and learned Additional Public Prosecutor for the
State.

2. The petitioner seeks regular bail, who is in custody
in connection with Bodhgaya P.S. Case No. 506 of 2023
registered for the offences punishable under Sections 406 and
420/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along
with co-accused Randhir Kumar Singh has misappropriated an
amount of Rs.47,75,000/- on the pretext of executing a sale deed
in favour of the informant. It is also alleged that the petitioner is
one of the signatories to the agreement to sell, however, when



the informant approached to the owner of the land, he denied the factum that he authorized any person to execute agreement to sell in favour of the land in question.

4. It is contended on behalf of the petitioner that from the FIR, it is evident that the agreement to sell has been executed between the informant and co-accused Randhir Kumar Singh. So far the petitioner is concerned, he was only signatory to the agreement to sell. Moreover, the cheque which was allegedly issued by the petitioner was on account of threat and coercion as has been mentioned in para-9 of the bail application. It is further contended that now the dispute has already been resolved between the parties and they have amicably settled the matter outside the Court. Be that as it may, the petitioner has absolutely clean antecedent and now the investigation of the crime is already complete.

5. On the other hand, learned counsel for the State opposed the bail application. However, the informant, who appears through her advocate, admits the factum of compromise before this Court.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation which is predominantly civil in nature, apart from the fact that



the dispute has already been resolved between the parties, coupled with the fair antecedent of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Bodhgaya P.S. Case No. 506 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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