

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36284 of 2024**

Arising Out of PS. Case No.-260 Year-2023 Thana- PURNIA COMPLAINT CASE District-  
Purnia

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Ravi Mukherjee Son of Tarak Nath Mukherjee, R/O Mohalla- Bhatta Bazar,  
P.S.- K. Hat (Sahayak), District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Vinod Son of Late Kamleshwari Prasad, R/O Mohalla- Hotel Ravi Vinay Private Ltd. Batta Bazar Barihat Road, P.S.- K.Hat (Sahayak), District- Purnea. At permanent R/O village + P.O. + P.S.- Bihariganj, District- Madhepura

... .. Opposite Parties

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**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr. Ram Prawesh Kumar, Advocate |
| For the State        | : | Mr. Upendra Kumar, APP          |
| For the Informant    | : | Mr. N.K. Agarwal, Sr. Advocate  |
|                      |   | Dr. Bidhu Ranjan, Advocate      |
|                      |   | Ms. Diksha Kumari, Advocate     |

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      06-09-2024                      Heard Ld. counsel for the petitioner and Ld. APP for  
the State as well as Ld. Counsel for the Informant.

2. The petitioner seeks anticipatory bail, apprehending his arrest, in connection with Complaint Case No. 260 of 2023, registered for the offences punishable under Sections 406, 420, 468, 504, 506 and 120(B) of the Indian Penal Code.

3. The prosecution case as emerges from the Complaint is that the petitioner is alleged to have committed a cheating of Rs. 66,30,000/- from the complainant through agreement for sale of land @ Rs. 37,01,000/- per katha.



4. Both the parties submit that the dispute relates to the agreement for sale of the land belonging to the Complainant. As per the agreement, the Complainant was to sell the land for 2, 22,06,000/- (two crore twenty two lac six thousand), and even part payment was made by the Complainant to the Accused/Petitioner. However, for some reason, the Complainant did not want to proceed with the purchase and he wanted the money back paid towards part payment of the total consideration. However, the same was not being returned by the Accused/Petitioner and the dispute arose and Complaint has been filed. Hence, the Complaint bearing no. 260 of 2023 has been filed by the Complainant and even a money suit bearing No. 27 of 2022 has been filed in the Civil Court. However, the matter has been settled between the Complainant and the accused persons including the Petitioner through mediation at Patna High Court Mediation Centre. This matter was referred to Patna High Court Mediation Centre on the request of the parties. The file has been received back with report that the matter has been settled between the parties. This agreement dated 05.08.2024 is on record.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier



either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. In view of the settlement and on request of both the parties, including the Complainant, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Purnea, in connection with Complaint Case No. 260 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong,  
Ld. court below shall cancel the bail bonds of the petitioner.

**(Jitendra Kumar, J.)**

Chandan/S.Ali-

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