

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45682 of 2023

Arising Out of PS. Case No.-1504 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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AMIT KUMAR SINGH @ BITTU S/O RAM NIHORA SINGH R/O Village-
Mohabba, P.S- Dandari, Distt.- Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ripujeet Kumar Singh S/O Ram Nihora Singh R/O Village- Mohabba, P.S-
Dandari, Distt.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Tej Narayan Singh, Adv.
For the Opposite Party/s	:	Mr.Zainul Abedin, APP
		Mr.Sandip Kumar Gautam, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-01-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 406/420 of the IPC.

3. The allegation made out against the petitioner in the
complaint petition is that the complainant has given
Rs.12,00,000/- to the petitioner for the purchase of a land but
neither the land has been purchased nor the aforesaid amount
has been returned. Petitioner is the younger brother of the
complainant.

4. Earlier the matter was sent to the Mediation Centre for



settlement. A mediation report dated 06.11.2023 is placed on record, in which, it is stated that after 2nd, 3rd and 4th sitting of mediation on 04.10.2023, 17.10.2023 and 01.11.2023 respectively, it was agreed by the petitioner that he will pay Rs.4,00,000/- (Rupees Four Lakhs) to the Opposite party no.2 by way of demand drafts, on which the O.P. No.2 was also agreed to withdraw/compromise the Complaint Case No.1504(C) of 2021 but on 06.11.2023, the petitioner took U Turn and said that he will face the trial in Complaint Case No.1504(C) of 2021 and then only he will be bound by and in that view, even after great persuasion, the matter was not finalized.

5. Today, learned counsel for the petitioner submits that the petitioner is ready to pay Rs.4,00,000/- to the O.P. No.2 and he produced a Bank Draft bearing No.935454 dated 04.11.2023, Sr. No.101390 and handed over the same to the counsel appearing for the O.P. No.2 in the Court and a copy of the same is also kept on record.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.1504C/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The present application is accordingly disposed of with a direction to the O.P. No.2 to withdraw/compromise the Complaint Case No.1504C/2021 within a period of four weeks from today.

(Anjani Kumar Sharan, J)

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