

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84176 of 2023**

Arising Out of PS. Case No.-2833 Year-2023 Thana- PATNA COMPLAINT CASE District-  
Patna

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Kunj Bihari Singh Son of Late Vishnudev Singh Proprietor of Perfect Sales and Services having its Office at - Shop No.- 4-A, Helious Bhawan, Khetan Commerce House, Station Road, P.S.- Kotwali, District - Patna, Resident of mohalla - Ashok Nagar Road No.- 5B, Kankarbagh, P.S.- Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Gaurav Kumar Son of Sri Indradev Singh Proprietor of Indratara Engineering, Having its Officer at Murera, Macchrawan, P.S.- Fatuha, District - Patna, Resident of village - Murera, Macchrawan, P.S.- Fatuha, District - Patna.

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                                                |
|----------------------|---|----------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Rajni Kant Singh, Advocate<br>Mr. Jitendra Kumar, Advocate |
| For the State        | : | Mr. Yogendra Kumar Singh, APP                                  |
| For the O.P. No.2    | : | Mr. Ramakant Singh, Advocate                                   |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

- 3      19-03-2024                      Heard Mr. Rajni Kant Singh along with Mr. Jitendra Kumar, learned counsels appearing on behalf of the petitioner, Mr. Ramakant Singh, learned counsel for the O.P. No.2 and Mr. Yogendra Kumar Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Complaint Case No. 2833 of 2023 registered for the offence(s) punishable under Sections 406,420 and 506 of the Indian Penal Code.

3. As per the allegation made in the complaint, the



accused person had cheated the complainant by not delivering the D.G. set etc. even after receiving the full payment of the said machineries.

4. At the outset, learned counsel appearing on behalf of the petitioner and learned counsel for O.P. No.2 (Complainant) jointly inform that they have settled the dispute amicably by handing over the machineries in terms of the agreement.

5. Considering the fact that parties have settled their dispute on agreed terms and conditions, I do not find that petitioner should face the rigours of prosecution and, as such, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Patna in connection with /Complaint Case No. 2833 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J.)**

Ashishsingh/-

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