

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84341 of 2023

Arising Out of PS. Case No.-830 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Ajay Kumar @ Ajay Kumar Cahaurasia @ Ajay Kumar Chourasia Son Of Late Keshav Pd. Chourasia
 2. Surebi Kumari Wife Of Ajay Kumar @ Ajay Kumar Cahaurasia @ Ajay Kumar Chourasia
Both permanent R/O Village- Bairia, P.S.- Tikapatti, District- Purnia, Presently Near Goithala Secondary School, P.S.- Pirpanti, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kamal Son Of Late Naresh Prasad R/O Bairya, P.O. And P.S.- Tikkapatti, District- Purnia, Presently R/O Anandpuri, Boring Canal Road, P.O. and P.S.- S.K.Puri, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-04-2024 Heard Mr. Manoj Kumar Jha, learned counsel appearing on behalf of the petitioners and the Mr.Jitendra Kumar Singh, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with C.A.Case No.830 of 2023, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. Prosecution story, in brief, is that the complainant had given Rs.18,61,514/- to the petitioners as friendly loan, due



to loss in business to the petitioners and they were unable to pay the installments of the trucks, which were purchased by them on loan.

4. Mr. Manoj Kumar Jha, learned counsel appearing on behalf of the petitioners submitted that the petitioners are ready to return the admitted amount, which they have borrowed from the complainant. He further submitted that out of the total said amount, the petitioners have paid Rs.2 lac to the complainant and with regard to remaining amount, the petitioners may be permitted to submit evidence.

5. In that regard, it has jointly been informed that the parties are ready to redress their grievance amicably. As such, it would be proper to refer the matter before the Mediator by the concerned district court.

6. Considering the aforesaid submission and information given by the respective counsels, I find it proper that the petitioners be released on **provisional bail** in connection with C.A.Case No.830 of 2023 pending before the court of J.M. Ist Class, Purnia on such terms and conditions as laid down under Section 438(2) of the Cr.P.C. and the learned district court finds it fit and proper for a period of two months, during which period, the time may be utilized by referring the



dispute before the Mediator of the District Mediation Centre so as to enable the parties to settle their dispute amicably. Both the parties are directed to tender their appearance on 29.04.2024.

7. The Mediator is directed to reconcile between the parties and take endeavour to settle the dispute amicably and submit his report before the concerned district court within a period of three months.

8. If both the parties settle their dispute within the aforesaid period, in that case, the provisional bail granted to the petitioners may be made absolute. In case of failure, this order will automatically lose its force.

9. With the aforesaid direction/observation, the present bail application stands disposed of.

(Purnendu Singh, J)

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