

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84739 of 2023

Arising Out of PS. Case No.-1093 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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1. RATAN KUMAR VERMA S/o Late Balgovind Mahto R/o village-Mohanpur, P.O-Bakhri, P.S-Bakhri, District-Begusarai.
 2. Manju Kumari W/o Ratan Kumar Verma R/o village-Mohanpur, P.O-Bakhri, P.S-Bakhri, District-Begusarai.
 3. Ujjwal Kant S/o Ratan Kumar Verma R/o village-Mohanpur, P.O-Bakhri, P.S-Bakhri, District-Begusarai.
 4. Utpal Kant S/o Ratan Kumar Verma R/o village-Mohanpur, P.O-Bakhri, P.S-Bakhri, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ariz Faridi S/o Sri Ansh Aala Faridi R/o Flat No.G-4, Saket Galaxy Apartment, West Boring Canal Road, P.S-S.K. Puri, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh, Advocate. Mr. Manish, Advocate.
For the State	:	Mr.Shailendra Kumar, APP.
For the Informant	:	Mr. Fazle Karim, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-03-2024 Heard Mr. Shailendra Kumar Singh, learned counsel along with Mr. Manish, learned counsel appearing on behalf of the petitioners; Mr. Shailendra Kumar, learned APP for the State and Mr. Fazle Karim, learned counsel on behalf of the informant.

2. The petitioners seek pre-arrest bail in connection with Complaint Case No. 1093(C) of 2023 registered for the offence punishable under Section 420 of the Indian Penal Code



and Section 138 of the N.I. Act.

3. Both the parties have jointly submitted that the dispute between the parties can be settled amicably, if some time is granted to the complainant to furnish the details of the transaction made by him into the account of the petitioners.

4. Learned counsel appearing on behalf of the petitioners submitted that as the parties have agreed to settle the dispute amicably, in spite of the allegation that complainant is equally responsible for having stolen the cheque signed by the petitioner no.1 relating to which he had filed informatory petition.

5. Learned APP for the State has submitted that as the matter is civil in nature and the parties have agreed to settle the dispute amicably, at this stage, he will not argue on the merits of the case.

6. Having heard the rival submissions and mutual agreement between the parties that they will settle the dispute amicably, the complainant must submit the details of transactions made by him by any instrument or by bank transaction into the account of the petitioners who are same family members. The complainant has alleged that he had transacted the amount in different account of the petitioners,



however, certain cash transactions were also made to the petitioners. It would be in the interest of the parties that the complainant must submit details of the account of the petitioners and the petitioners must settle the admitted amount which they have taken from the complainant and settle the dispute amicably within a period of six months. Thereafter, they must file their individual affidavit before the District Court.

7. If substantial amount as per the mutual settlement is paid to the complainant by the petitioners and receipt to that effect is filed in the District Court by the parties, then in that case, the petitioners, above named, are directed to be released on pre-arrest bail **provisionally, subject to the condition that the amount agreed by the parties is paid to the complainant within a period not exceeding six months**, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with Complaint Case No. 1093(C) of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C. **and when the entire agreed amount is paid within the aforesaid period, the provisional bail granted to the**



petitioners shall be made absolute.

8. District Court if finds proper may also call for the details of the Bank Statement of the complainant and the petitioners and at the same time their income tax returns filed for the financial years 2021-22, 2022-23 and 2023-24 and also can verify from the Memorandum of Association and Article of Association of the Company namely N.L.P.L. formed by the parties which later became defunct. If required, the District Court must also call for the report from the Registrar of the Companies to satisfy itself.

9. If the entire amount agreed is not paid within a period of further six months and the dispute between the parties is not resolved amicably, the provisional bail granted to the petitioners shall lose its effect automatically.

10. Accordingly, the bail application stands disposed of.

(Purnendu Singh, J)

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