

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6113 of 2025

Arising Out of PS. Case No.-248 Year-2021 Thana- RASULPUR District- Saran

Parmeshwar Prasad Son of Sri Lakhan Prasad Resident of Village- Mohan Bazar, P.S.- Maharajganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Purushottam Kumar, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar, APP
For the Informant	:	Mr. Jitendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 14-05-2025 Heard learned counsel for the petitioner, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioner seeks bail in Rasulpur P.S. Case No. 248 of 2021, instituted for the offences punishable under Sections 406, 420 of the Indian Penal Code and Section 106 of the Negotiable Instruments Act.

3. The prosecution case, in short, is that, the petitioner took Rs. 70 lakh from the informant for business on a condition to pay Rs. 2,10,000/- as profit in every three months, but the petitioner failed to do so and the cheque which was given by the petitioner also bounced.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the matter has been amicably settled in between the parties. Learned counsel referring to the supplementary affidavit has drew the attention of the Court towards the compromise petition wherein, it is agreed between the parties that the total settlement amount is Rs. 30,00,000/- which has to be paid by the petitioner. The petitioner has already paid Rs. 10,00,000/- to the informant, second installment of Rs. 10,00,000/- is to be paid by the petitioner by 31.03.2026 and the third installment of Rs. 10,00,000/- will be paid by 31.12.2026. It is further submitted that the petitioner is in custody since 05.10.2024 and has got four criminal antecedents.

5. Learned counsel for the informant did not raise any objection.

6. Considering the aforesaid facts and circumstances of the case, the fact that the matter has been compromised between the parties and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rasulpur P.S. Case No. 248 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner fails to pay the said amount as per the compromise made between the parties, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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