

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6692 of 2025

Arising Out of PS. Case No.-69 Year-2024 Thana- Madhubani T District- Purnia

1.

Vivek Anand S/o Sri Shiv Nath Sah Resident of Madhubani, P.S- K Hat, Distt.- Purnea
2.

Abhinav Kumar @ Dimpu Singh S/o Late Keshab Prasad Singh R/o vill - Sipahi Tola, P.S. - K. Hat, Distt. - Purnea
3.

Md. Sajid Reza @ Sajid Reza S/o Late Khalid R/o vill - Dogachhi, P.S. - Kasba, Distt.- Purnea
4.

Vijay Kumar @ Vijay S/o Sri Chhote Lal Roy R/o vill - Adarsh Nagar naya tola, P.S. - Sahayak Khajanchi, Distt.- Purnea

... .. Petitioner/s

Versus

1.

The State of Bihar
2.

Ajay Goenka S/o Late Laxmi Narayan Goenka R/o B 55, CC Colony, NR Rana Pratap Bagh, P.S.- Model Town, Delhi, Distt.- Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr.Amit Kumar Anand, Advocate

For the State

:

Mr.Md. Anzarul Haque Sahara, APP

For O.P. No.2

:

Mr. Saroj Kumar Sharma, Advocate

Mr. Vikash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3

09-05-2025

Heard learned Counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending arrest in connection with Madhubani P.S. Case No. 69 of 2024 registered on 25.08.2024 for the offenses punishable under Sections 406,



419, 420, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per the prosecution, an FIR has been lodged against the present petitioners alleging that they received a sum of ₹2,84,63,000/- from the informant with the intention of transferring 5.61 decimals of land in the informant's favour. However, under one pretext or another, the land was never registered. Subsequently, when the petitioners decided not to proceed with the transfer, the amount received was also not returned.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners have a clean antecedent and are businessmen, similar to the informant. It is further submitted that, as stated in paragraph no. 11 of the petition, the petitioners had entered into an agreement with the landowner and executed the sale of land through 15 different sale deeds, as requested by the informant, who intended to establish an ethanol plant through his company. However, the informant later changed his mind and no longer wished to proceed with the ethanol plant, subsequently asking the petitioners to refund the entire amount. Learned counsel also submits that, during the pendency of the present matter, the informant, without informing the petitioner, entered into an



agreement with one Arbind Kumar Yadav. It is further submitted that a compromise was entered into between the parties on 14.02.2025, wherein the petitioners agreed to refund the amount to the informant. Although the petitioner is currently facing financial difficulties, he remains willing to return the money.

5. Learned counsel for the informant, on the other hand, vehemently opposes the prayer for bail. He submits that the arguments now advanced by the petitioners were also raised before a co-ordinate Bench of this Court, which had accordingly referred the matter to the Mediation Centre. The Mediator's report, which is on record, reflects that the dispute could not be resolved through mediation and that the mediation process ultimately failed.

6. Learned APP for the State also vehemently opposes the prayer for bail.

7. It is true that the dispute primarily concerns the return of money. This Court, taking a sympathetic view in an attempt to resolve the matter amicably, had referred the case to the Mediation Centre. However, it now appears that, despite such referral, the dispute could not be resolved. The petitioners once again expresses readiness to settle the matter.

6. In this background, this Court is not inclined to



grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Madhubani P.S. Case No. 69 of 2024, pending before the learned CJM, Purnea is hereby rejected.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

