

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39309 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- KASBA District- Purnia

Niraj Kumar Son of Pradeep Kumar Gupta Resident of Nawaratan Chowk,
Purnea City, P.S.- Sadar, District - Purnea, Pin - 854301.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
For the informant : Mr. Ram Pravesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 18-12-2025 Heard Mr. Abhishek Anand, learned Counsel for the
petitioner and Mr. Ram Pravesh Kumar for the informant.

2. The petitioner apprehends his arrest in connection
with Kasba P.S. Case No. 296 of 2024 for the offence registered
under sections 406, 420, 467, 468, 471, 34 of the IPC.

3. As per the prosecution story, the informant and a
senior official of Central Bank of India alleged that for purchase
of a plot, altogether Rs. 1,10,00,000/- was paid to the accused
persons. However, once the payment was made despite best of
effort, they chose to look the other way forcing him to even
think about committing suicide. Having been assured that they
have cheated him and are not going to transfer the land, the FIR.

4. In this case, notice was issued to the opposite party



no. 2, the appearance is there and it seems that good sense have prevailed upon the parties as would reflect from the supplementary affidavit filed by the petitioner.

5. Learned Counsel for the petitioner has taken this Court to Annexure-P/3 to show that before the District Court Mediation Center, Purnea, on 14.11.2025, the parties including the informant signed an agreement which shows that on behalf of the petitioner's herein, Md. Gulzar will be making the payments and the details/modalities have also been incorporated which shows that the payment will come to an end by July, 2026.

6. Copy has been served to the learned counsel for the informant and he has also acknowledged that one of the signatory to the said document is of the informant. The only prayer/submission that has been made by the learned counsel for the informant that in case, the accused persons default, he must have the right to take steps for the cancellation of the bail bond of the petitioner/accused persons, that liberty is always there if the petitioner defaults the undertaking given before the Mediation Center as also this Court.

7. Considering the development that has taken place, in that background, this Court is inclined to grant him the



anticipatory bail with conditions.

8. However, if the payments are not made as detailed, the informant will always have the right to take steps for the cancellation of the bail bond.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Purnea in connection with Kasba P.S. Case No. 296 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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