

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38517 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- RAMPUR District- Gaya

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1. Rekha Devi W/O Manoj Kumar R/O Village- Khatkachak Madanpur, P.S.- Civil Line Present- Vishnupad, District- Gaya
 2. Manoj Kumar S/O Late Jageshwar Yadav R/O Village- Khatkachak Madanpur, P.S.- Civil Line Present- Vishnupad, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajiv Kumar Sinha S/O Suryavanshi Prasad R/O Village- Nandi Nawada, P.S.- Chandauti District- Gaya. Pin-823001

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Adv.
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-12-2025 Heard learned Counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Rampur P.S. Case No. 174 of 2024 for the offence registered under sections 406, 420, 120B, 504, 506 of the IPC.

3. As per the prosecution story, the informant alleged that an agreement was prepared with the land owner, payments made to the tune of Rs. 10,11,000/- but as he failed to get the land registered and feeling cheated, the FIR.

4. Learned Counsel for the petitioners submit that the agreement amount already stands transferred to the informant's



side, however, new demand came that expecting the transfer of land, the ground was filled and a boundary wall was erected in which the informant invested Rs. 7,00,000/-.

5. Earlier, this Court on 25.06.2025 issued notice to the opposite party no. 2 and thereafter upon appearance, another Co-ordinate Bench on 03.11.2025 sent the matter to the Mediation Center.

6. As per the Mediator's report dated 10.12.2025, the mediation failed.

7. Today, on call, learned counsel for the petitioner submits that for the construction of the wall/filling of the land by the informant, would like to pay half of the amount i.e. Rs. 3,50,000/- at the time of the execution of bail bond.

8. Learned counsel for the informant (opposite party no. 2) is appearing and the submission is that though invested huge amount, he now also wants to get out of this dispute and the offer of Rs. 3,50,000/-, on consultation, is acceptable.

9. Taking into account the aforesaid fact and the positive sign which they have shown despite the fact that the mediation failed, appreciating their stand and on the undertaking given by the petitioner that they shall be making payment to the informant to the tune of Rs. 3,50,000/- through Demand Draft



issued by the local branch of the State Bank of India/any Nationalized Bank at the time of execution of bail bond, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners 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 C.J.M., Gaya in connection with Rampur P.S. Case No. 174 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 petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 petitioners 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 petitioners 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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