

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42118 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- KADAMKUAN District- Patna

1. Ashish Tiwari S/o Ashutosh Tiwari R/o House No.-1003, spring Green Apartment, Block-1, Anaura, Faizabad Road, Lucknow, Uttar Pradesh, 226028, Permanent Address-S/o Ashutosh Tiwari, R/O 334, Kashi Naresh Kindhura, Gonda, Uttar Pradesh, 271403
2. Shubham Yadav S/o Sanjay Yadav R/o House No.-1003, spring Green Apartment, Block-1, Anaura, Faizabad Road, Lucknow, Uttar Pradesh, 226028, Permanent Address-S/o Sanjay Yadav, R/O 1/170-171/1, Sihabeer, Golaghat Ramnagar Bhatti, Varanasi, Uttar Pradesh, 221006

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Anand
For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

12 09-05-2025 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the opposite party no. 2.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 406, 420, 467, 468, 469, 471, 472, 506, 34 of the Indian Penal Code.

3. The dispute between the parties was with regard to some money transaction which had to be done in course of supply of parts of drone.

4. Learned counsel for the petitioners has drawn the attention of the court to an agreement arrived at between the



parties before the Patna High Court Mediation Centre in Mediation Proceeding No. 1773 of 2023 whereby a settlement has been arrived at between the parties that out of total Rs. 23,00,000/- of the defalcated amount, it was agreed that an amount of Rs. 15,00,000/- in total would be paid by the petitioners to the opposite party no. 2 subject to the fact that the opposite party no. 2 will return the drone parts supplied earlier by the petitioners worth Rs. 3,50,000/-. It has further been submitted that as of today an amount of Rs. 9,00,000/- has already been paid to the opposite party no. 2 and thus, Rs. 6,00,000/- remains to be paid to the opposite party no. 2 which the learned counsel for the petitioners submits, would be paid in a time of another one month.

5. Learned counsel for the opposite party no. 2 also does not have any objection to the same.

6. Taking into consideration an agreement arrived at between the parties, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on **provisional bail** on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Kadamkuan P.S.
Case No. 26 of 2024, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

7. Learned court below is directed to confirm the
provisional bail of the petitioners after having proof of payment
of the remaining amount of Rs. 6,00,000/- by the petitioners to
the opposite party no. 2/the informant.

(Soni Shrivastava, J)

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