

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63060 of 2024

Arising Out of PS. Case No.-45 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Nikesh Singh Son of Rajendra Singh R/V- Village- Nauwn, PS- Dinara,
District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nakharu Sah Son of Ram Naresh Singh R/V-Village- Baghin, PS-
Mohaniya, District- Kaimur

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Maya Shankar Mishra, Advocate Mr. Nagendra Upadhyay, Advocate
For the State	:	Mr. Harendra Prasad, APP
For the O.P. No.2	:	Mr. Uday Pratap Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 26-06-2025 Heard learned counsel for the petitioner, learned

counsel for the informant/opposite party no.2 and learned APP

for the State.

2. The petitioner apprehends his arrest for the offences

punishable under Section 420 of the Indian Penal Code.

3. The allegation in the first information report was

with regard to purchase of paddy for an amount of

Rs.12,85,822/- on assurance that the said amount would be paid

till April, 2022, but the accused persons refused to pay the said

amount.

4. The matter had earlier been sent to the Mediation



Center for reaching an amicable settlement between the parties but the mediation process once failed. However, subsequently, in the second round of mediation, the parties have been able to resolve their differences and, although the final mediation report is not on record, the parties have produced the memorandum of agreement dated 17.06.2025 passed in Mediation Proceeding No.1614 of 2024, whereby the petitioner has agreed to make total payment of Rs.7 lakhs to opposite party no.2. Out of the said amount, it has been agreed that an amount of Rs.3.50 lakhs would be paid by way of draft to the opposite party no.2 within a period of one month and remaining amount of Rs.3.50 lakhs would be paid within a period of nine months after payment of the first installment. The agreement has been duly signed by both the parties. It is also agreed that upon realization of Rs.7 lakhs, opposite party no.2 would withdraw the present case as well as all the connected case, if any, from the Court concerned.

5. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) 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 Mohaniya (Kaimur) Complaint Case No.45 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. It is expected that both the parties would adhere to the terms of the agreement of settlement. However, opposite party no.2/complainant would have a liberty to pray for cancellation of bail in case agreed amount is not paid to him.

(Soni Shrivastava, J)

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