

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70452 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- ARARIA District- Araria

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ABU BASAR @ PAPPU Son of Late Ashfaque @ Late Ashfaque Alam
Village Kharhiya, W.No-11, Ps- Araria Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 26-06-2025 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

for the opposite party no. 2.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 384, 386,
406, 506/34 of the Indian Penal Code.

3. The allegation in the First Information Report is
that the informant had purchased a plot of land bearing no. 1533
measuring an area 12 decimals from her father and had got the
mutation done. When she and her husband went on the plot, the
petitioner's cousin brother and Abu Basar @ Pappu (petitioner)
came and claimed the said land as his own and the proceedings
under Section 144 Cr.P.C. also began. Further, allegation is that
the petitioner demanded Rs. 20,00,000/- for vacating the said
land.



4. The matter had earlier been sent to the Patna High Court Mediation Centre for reaching an amicable solution between the parties as the contesting parties are brother and sister.

5. The issues were settled between the parties vide memorandum of agreement dated 22.04.2025 passed in Mediation Proceeding No. 422 of 2025 whereby the petitioner had agreed to vacate the concerned plot of land bearing no. 1533 measuring an area 12 decimals.

6. Today, a supplementary affidavit has been filed on behalf of the petitioner, a copy of which is being kept on record, in which there is a specific averment made by the petitioner in paragraph-3 that the petitioner has already vacated the piece of land on which a flour mill was running. The house of the flour mill has already been demolished and the debris has also been removed. The photograph of the same has also been placed on record as Annexure-6 series.

7. In such view of the matter, the grievance of the opposite party no. 2 stands redressed and hence, the opposite party no. 2 undertakes to withdraw the present criminal case from the court concerned.

8. Considering all the above mentioned facts and



circumstances, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail 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 Araria P.S. Case No. 90 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.

(Soni Shrivastava, J)

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