

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15674 of 2025

Arising Out of PS. Case No.-372 Year-2023 Thana- MAHUA District- Vaishali

Ram Nath Ray S/O Late Dwarika Ray R/O Vill.- Rusulpur Fatah, P.O-
Rasulpur Fatah,P.S- Mahua, Dist.- Vaishali, Pin- 802101

... .. Petitioner/s

Versus

1. The State of Bihar
2. Om Prakash Gupta @ Umesh Prasad Gupta s/o Banarasi Prasad Gupta @
Banarasi Gupta R/O Vill.- Mahua Singhrai, P.S- Mahua, Dist- Vaishali at
Hajipur, Pin- 802101

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gyanendra Kumar Shukla, Advocate
		Mr. Shailendra Sinha, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

9 23-04-2026 Heard, Mr. Gyanendra Kumar Shukla, learned
counsel for the petitioner and Mr. Madan Kumar, Learned A.P.P.
for the State.

2. Despite valid service of notice no one appeared on
behalf of the O.P. No. 2.

3. The present case has been filed on behalf of the
petitioner for cancellation of the anticipatory bail granted to the
Opposite Party No. 2 by this Hon'ble Court vide order dated
05.03.2024 in Criminal Miscellaneous No. 70090 of 2023 in
connection with Mahua P.S. Case No. 372 of 2023.

4. Allegation against the Opposite Party No. 2 is of
taking Rs. 41 lakhs as loan from the petitioner but he did not



return the same to the petitioner. A cheque was given to the petitioner by Om Prakash Gupta, which was bounced.

5. Learned counsel for the petitioner despite undertaking given before the learned Mediator as well as this Hon'ble Court, the petitioner has not paid any amount after paying of Rs. 1,00,000/- (one lakh) out of Rs. 19,00,000/- (nineteen lakhs). Learned counsel for the petitioner states that O.P. No. 2 agreed to pay Rs. 20,00,000/- (twenty lakhs) to the petitioner but he had paid only Rs. 2,00,000/- (two lakhs) till date. The relevant portion of the order passed by this Hon'ble Court is quoted herein below:

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case.

5. Pursuant to the direction of this Hon'ble Court dated 01.11.2023, the matter was referred to Patna High Court, Medication Centre for settle the dispute between the parties. Report of the learned Mediator dated 27.02.2024 reveals that the matter has been settled between the parties and the petitioner is ready to pay Rs. 20,00,000/- (Twenty Lakhs) and out of Twenty Lakhs the petitioner has paid Rs. 1,00,000/- (One lakh) to the complainant/Informant and



he has given an undertaking to pay Rs. 19,00,000/- (Nineteen Lakhs) in 19 (nineteen) equal installments within a period of nineteen months.

6. In view of the aforesaid, the provisional bail granted to the petitioner vide order dated 01.11.2023 is hereby confirmed in connection with Mahua P.S. Case No. 372 of 2023.

7. Learned counsel for the Informant shall be at liberty to move for cancellation of anticipatory bail of the petitioner, if the petitioner will not pay any installment amount in any month as he has given an undertaking in the agreement dated 26.02.2024 before the learned Mediator in the medication proceedings.

6. Considering the aforesaid fact, the bail bond of the Opposite Party No. 2 is cancelled and learned Court below is directed to cancel the bail bond of the Opposite Party No. 2 and Superintendent of Police, Vaishali is directed to produce the O.P. No. 2 before the learned Court below.

7. This application is disposed of.

(Rajesh Kumar Verma, J)

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