

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65643 of 2025

Arising Out of PS. Case No.-228 Year-2021 Thana- RAMGARHWA District- East
Champaran

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Madhu Paswan, Male, aged about 43 years, Son of Manistar Paswan,
Resident of Village - Bhaluwahiya, P.S.- Ramgarhwa, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 01-07-2026 Heard Mr. Ram Adya Singh, learned counsel

appearing on behalf of the petitioner and Mr. Parmeshwar

Mehta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ramgarhwa P.S. Case No. 228 of 2021 registered for the
offence punishable under Sections 406, 409, 420, 341, 323,
354(B) and 504 of the IPC.

3. The prosecution story, in brief, is that Rs.
12,50,000/- was transferred in the account of the petitioner for
supplying construction materials under the Mukhyamantri Sat
Nishchay Yojana. It is alleged that the petitioner supplied
materials worth only ₹4,00,000/- and misappropriated the
remaining amount. The informant further alleged that, upon



demanding the balance materials, she was assaulted and refused the remaining supply.

4. Learned counsel appearing on behalf of the petitioner informs that during the pendency of the present bail application, with the intervention of the relatives, well-wishers and friends, the parties have compromised.

5. Relying on the judgment passed in ***Ramgopal Vs. State of M.P.***, reported in ***(2022) 14 SCC 531***, recently the Apex Court in the case of ***Naushey Ali & Ors. Vs. State of U.P.***, reported in ***(2025) 4 SCC 78*** has set aside the order passed by the concerned High Court under Section 482 Cr.P.C. considering that if parties have arrived to settle the dispute, there was no requirement of High Court to consider the antecedent and conduct of the accused or whether he was absconding. In the said judgment, the Apex Court has also relied on its earlier judgment in ***Gian Singh Vs. State of Punjab & Anr.*** reported in ***(2012) 10 SCC 303*** and ***State of M.P. Vs. Laxmi Narayan***, reported in ***(2019) 5 SCC 688***, and after considering the special feature of the said case and taking the settlement on record and applying the law, found fit to quash the proceeding pending in the Court of the Additional Chief Judicial Magistrate, Muradabad.



6. In the present case, the petitioner has brought on record the compromise petition dated 24.03.2025, jointly signed by the parties, by way of Annexure-2 to the bail application.

7. In view of such circumstances, the petitioner, having settled the dispute, he is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court 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 District Court where the case is pending, in connection with Ramgarhwa P.S. Case No. 228 of 2021, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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