

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89775 of 2025

Arising Out of PS. Case No.-1168 Year-2024 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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Sita Devi W/o Sri Vinay Kumar Sah Resident of Mohalla- Kila, P.O. and P.S.-
Sasaram (T), District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saroj Kumar Vishwakarma S/o Gopal Vishwakarma Resident of Mohalla-
Mubarakganj, P.S.- Sasaram (T), District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karu Kumar, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 20-04-2026 Heard Mr. Karu Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Umeshanand Pandit, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 1168/2024 registered for the
offence(s) punishable under Sections 318(4) of the BNS.

3. As per the allegations made in the FIR, the
petitioner is accused of cheating the complainant by selling him
a piece of land for a sum of Rs.4,69,000/-. Subsequently, when
the complainant applied online for mutation of the said land, his
application was rejected on the ground that the land belongs to
the Government of Bihar. When the complainant requested a



refund of the amount paid, the petitioner failed to return the same.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. However, on instruction, learned counsel submitted that the matter is purely civil in nature and to buy peace of mind, petitioner wants to settle the dispute amicably outside the Court.

5. Learned APP appearing on behalf of the State submitted that a chance be given to the parties for amicable settlement outside the court.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the FIR, and considering that the dispute appears to be civil in nature, as well as, the fact that the petitioner is willing to compromise in respect of the land allegedly sold *vide* Sale Deed No. 3490 for a total consideration amount of ₹4,69,000/-, the petitioner, named above, is directed to be released on **provisional pre-arrest bail**. on such terms and conditions as the learned District Court deems it fit and proper, subject to the conditions as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.



7. However, the learned District Court is directed to examine the matter for settlement of the dispute outside the court by way of mediation in light of the law laid down by the Apex Court in cases of *Paramjeet Batra v. State of Uttarakhand*, (2013) 11 SCC 673, *Usha Chakraborty v. State of West Bengal*, (2023) 15 SCC 135 and *S.N. Vijayalakshmi & Ors. Vrs. The State of Karnataka and Anr.* reported in (2025) SCC Online SC 1575 and take necessary steps to issue notices to the respective parties and upon their appearance refer the matter before the learned Mediator of the District Mediation Centre under the provision of Mediation Act, 2023 by fixing a date for appearance of the parties to give effect to “Mediation for the Nation 2.0”.

8. The bail application stands disposed of.

9. Let a copy of this order be communicated to the Member Secretary, Bihar State Legal Services Authority and the Patna High Court Mediation Centre for the purpose of record.

(Purnendu Singh, J)

Sanjay/-

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