

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3051 of 2026

Arising Out of PS. Case No.-4752 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Poonam Singh W/o Raj Kumar Singh Resident of Mahatama Gandhi Nagar, Kanti Factory Road, P.S.- Agamkuan, District- Patna
 2. Raj Kumar Singh S/o Late Ramdas Prasad Singh Resident of Mahatama Gandhi Nagar, Kanti Factory Road, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Kumari Prasad W/o Dr. Dayanand Prasad R/o Flat no. 103, Rayshanti Plaza, Kanti Factory Road, P.S.- Patrakar Nagar, Town and Distt.- Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr.Anil Kumar Singh No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 01-04-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Complaint Case No. 4752(c) of 2021 registered for the offence punishable under Sections 406, 420, 323 and 504 of the Indian Penal Code, in which learned Magistrate took cognizance under Section 406/34 of the Indian Penal Code.

3. As per the allegations made in the F.I.R., the complainant is running a private hospital in the petitioners' premises under a duly executed rent agreement. She has claimed



to have invested Rs. 50,00,000/- in establishing the hospital and an additional Rs. 15,00,000/- towards its beautification and she never defaulted in paying rent as per the terms of the agreement. It is further alleged that, owing to ill health, she entrusted the operation of the hospital to another person. Subsequently, upon visiting the premises, she found the accused persons relying on a purportedly false rent agreement with a third party to which she protested, the accused including the petitioners had allegedly misbehaved with her and threatened her of dire consequences.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged in the complaint. It is contended that, in fact, the husband of the complainant had issued a cheque of Rs. 30,00,000/- towards payment of outstanding rent, which was dishonoured, and a complaint case in that regard is presently pending. The present complaint has been filed with an intention not to return the due amount of rent to the petitioners, therefore no case of breach of trust is made out against the petitioners. The petitioners have clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.



6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the complaint. There is case and counter case between the parties. The present complaint appears to be vexatious in nature. Allegation is that the co-accused Md. Riyajuddin misbehaved and abused the complainant as she failed to make payment of Rs. 30 lakhs due to the petitioners and to save herself, the complainant has filed the present complaint on false allegation, I find that the petitioners who are landlord, have, *prima facie*, made out a case to be released on bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna Sadar in connection with Complaint Case No. 4752(c) of 2021, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its



force.

9. The dispute primarily is civil in nature. Learned District Court is further 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 case of ***Paramjeet Batra v. State of Uttarakhand*** reported in (2013) 11 SCC 673; ***S. N. Vijayalakshmi & Ors. vrs. The State of Karnataka and Anr.*** reported in (2025) SCC Online SC 1575 and ***Delhi Race Club (1940) Ltd. & Ors. vs. State of Uttar Pradesh & Anr. in Criminal Appeal No. 3114 of 2024*** 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 by fixing a date for appearance of the parties to give effect to “Mediation for the Nation 2.0”.

10. The bail application stands disposed of.

11. 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)

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