

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44761 of 2026

Arising Out of PS. Case No.-236 Year-2026 Thana- RAJGIR District- Nalanda

Vikash Kumar, S/o Ajay Kumar, R/o Village- Patel Nagar, P.S.- Chhabilapur,
Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. V K Tripathi, Advocate
For the State	:	Mr. Prem Kumar Jha, APP
For the Informant	:	Mr. Rajeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Rajgir P.S. Case no.236 of 2026, registered under section 318(4), 316(2), 338, 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that the petitioner entered into an agreement with the company according to which he obtained 4979 chicks and 195 bags of feed for feeding the said chicks. It is stated by the informant that incorrect information was given by the petitioner to the informant on 27.3.2026 and thereafter on visiting the farm/site on 28.3.2026 it transpired that there was neither a single chick/bird there nor any feed. It is thus stated that the petitioner



had sold all the chicks as also the feed and caused loss to the company to the tune of Rs.8,60,876/-. Thus the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. So far as the nature of allegation in the F.I.R. and the dispute, if any, between the parties is concerned, at best it may be of violation of the terms of an agreement. No criminal offence is made out. There is an unexplained delay of 10 days in lodging of the F.I.R. The petitioner is in custody since 9.4.2026 and has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is named in the F.I.R. and there is serious allegations levelled against him of having defalcated and cheated the company of a total sum of Rs.8,60,876/-. In the facts of the case at least the petitioner be directed to return the amount to the company.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation levelled against the petitioner in the F.I.R., accepting the dispute/allegation raised by the informant therein, so far as recovery of money is concerned the appropriate step for the



informant to take against the petitioner will be of filing a suit for the recovery of money. The petitioner having remained in custody since 9.4.2026 and not having any criminal antecedent, in view of the nature of allegations the petitioner is directed to be enlarged on bail in connection with Rajgir P.S. Case no.236 of 2026, 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 Chief Judicial Magistrate, Nalanda at Biharsharif.

(Partha Sarthy, J)

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