

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34795 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- KAKO District- Jehanabad

Bikash Kishore Singh, S/o- Suwae Prasad, Resident of Village-Nisarpura,
P.S.- Kako, Valabar OP, Dist- Jehanabad

... .. Petitioner

Versus

1. The State of Bihar
2. Raj Kumar Sao, S/o late Ram Visun Sao, resident of Village-Nisarpura, P.O.-
Supi, P.S.- Vulabar (Kako), Distt- Jehanabad

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Madhumay Madhup, Advocate Mr. Nityanand Neeraj, Advocate
For the State	:	Mr. Nawal Kishore Prasad, Advocate
For the Informant	:	Mr. Aryan Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

8 22-12-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner seeks bail in connection

with Kako P.S. Case No.88 of 2025 registered for the

offences punishable under Sections 318(4), 338, 336(3),

61(2), 126(2), 115(2), 352, 351(2) read with 3(5) of the

Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and



is in custody since 17.04.2025.

4. Allegation against petitioner is to identify the informant, who is dead, as to execute the sale deed through which the land belongs to informant sold to unknown person.

5. Learned counsel appearing for the petitioner submitted that primarily the FIR suggest the dispute between the parties as civil in nature. In support of his submission, it is pointed out that prior to lodging this FIR, title suit was filed by the informant regarding disputed piece of land on 20.11.2024 itself, which is pending before the court of Sub-Judge-I, Jehanabad as Title Suit No.242 of 2024 and, therefore, lodging the present criminal case is completely un-occasioned and unwarranted. It is pointed out that the maximum allegation against the petitioner is to identify the executor of sale deed and he is not the beneficiary. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Explaining criminal antecedent, it is submitted



that the petitioner found involved in two more criminal cases, where he is on bail.

7. Learned APP duly assisted by Mr. Aryan Sinha, learned counsel appearing for the informant while opposing the prayer of bail submitted that the petitioner has identified the informant, who is dead now and, therefore, the allegation of cheating is *prima facie* available against this petitioner.

8. Let it be so, in view of aforesaid factual submissions and by taking note of fact as primarily dispute between the parties is civil in nature for which the title suit is already pending even prior to lodging this FIR, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 17.04.2025, accordingly, the petitioner, above-named, is directed to be released on bail 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 S.D.J.M., Jehanabad in connection with Kako P.S. Case No.88 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of



the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

