

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42033 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- CHAKIA District- East Champaran

Kunal Kishore @ Kunal Singh @ Kunal Kishor Singh Son of Late
Chandeswar singh@ Chandu Singh Ressident of vill- Gawandra Tola Ramdih
P.S- Chakia Distt- -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Chakia
P.S. Case No. 67 of 2025 instituted for the offence under
Sections 318(4), 338, 336(3), 340(2), 61(2), 352, 351(2) & 3(5)
of the Bharatiya Nyaya Sanhita, 2023.

4. Prosecution case, in short, is that petitioner
allegedly sold his share of land to one Sabara Khatoon on
26-10-2024. It is further alleged that informant has previously
purchased the land in question from father of the petitioner and
named accused persons demanded Rs. 5 lakhs to give up his
share.

5. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 10-04-2025. Petitioner bears eight (8) criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

6. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to dirty village politics and his criminal antecedents. There is delay of four months in lodging the FIR. The dispute is purely civil in nature arising out of an alleged ownership claim over ancestral land, and the appropriate remedy lies in a civil court through a title suit. It is next submitted that the petitioner neither committed any forgery nor conspired with anyone, and the filing of this FIR is a misuse of the criminal justice system to exert pressure, amounting to an abuse of process of law.

7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and dispute being civil in nature, this Court is inclined to grant bail to the petitioner.

9. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of Court below/concerned Court in connection with Chakia P.S. Case No. 67 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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