

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51736 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- Sonki District- Darbhanga

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Baidyanath Mukhiya S/o Late Motilal Mukhiya R/o vill - Dekulichati, P.S.-
Sonaki, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay kr. Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Ramendra Kr. Bharti, Adv.
For the Opposite Party/s :		Mr. Md. Mushtaque Alam, Adv.
For the Informant	:	Mr. Umashankar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 15-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Sonaki P.S. Case No. 40 of 2025 registered for the offence
under Sections 318(4), 308(3), 351(2), 3(5) of BNS

3. The petitioner is named in the F.I.R. and is in
custody since 19.05.2025.

4. As per FIR allegation against the petitioner is to
commit cheating upon the informant alongwith other accused
person for tune of Rs. 81,51,000/- against sale of a land
measuring 5 katha and 3 dhur.

5. Mr. Ajay Thakur, learned counsel appearing on



behalf of the petitioner submitted that prima-facie the dispute is civil in nature for which the present criminal prosecution is completely unoccasioned and unwarranted. It is submitted that the sale deed were executed by wife of the petitioner in favor of the informant and entire the episode developed when cheque as issued by informant for Rs. 15 lakh was dishonored. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by Mr. Umashankar Singh, learned counsel for the informant while opposing the prayer of bail submitted that this petitioner even after receiving amount of Rs. 43,01,000/- in his personal account denied to execute sale deed. It is also submitted that the agreement was executed between informant and petitioner in furtherance of which the entire land deal was progressed. It is submitted that despite of payment of consideration amount no sale deed was executed by this petitioner, however, he



could not disputed that the nature of dispute as civil dispute.

7. In view of aforesaid factual submission and by taking note of fact as present criminal implication prima-facie appears arising out of civil dispute based upon land deal, coupled with fact that investigation of this case is already completed, where petitioner remains in custody since 19.05.2025, accordingly petitioner above named, is directed to be released on bail in connection with Sonaki P.S. Case No. 40 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Addl Sessions Judge I, Darbhanga /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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