

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51139 of 2025

Arising Out of PS. Case No.-596 Year-2022 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Rajesh Kumar @ Rantu Singh, aged about 47 years (Male), son of Rajendra Prasad, resident of Shahid Bhagat Singh Lane, Bajrangpuri, PS -Alamganj Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Daisy Kumari, wife of Sri Krishnanand Chaudhery, resident of Mohalla- Shitla Nagar, (Near Anjali Gas Godown), Nalapar, PS- Agamkuan, PO- Gulzarbagh, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N. A. Shamsi, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP
For the OP No.2	:	Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner; learned Additional Public Prosecutor for the State and learned counsel for the opposite party no.2, who has appeared *suo motu*.

2. The petitioner apprehends arrest in connection with Complaint Case No.596 of 2022 dated 24.05.2022, instituted under Sections 385, 354-A and 506 of the Indian Penal Code.

3. The complainant has alleged that she took loan from the petitioner through Chhotki Madam and her husband. The loan was taken in two parts; first for marriage of her daughter and rate of interest was 3% and the second loan was for business purpose at the rate of 4% interest. The interest was



being paid, but loan document was not returned by the petitioner on the pretext that they are known to each other but had obtained signature of her husband on four plain papers. The total loan amount was Rs.22.5 lakhs, out of which, Rs 15 lakh was for marriage purpose. It is also alleged that the petitioner came and took the signature of the complainant for loan amount of Rs.51 lakhs and said that if the same is not returned with interest then her house would be transferred in his name and Chhotaki Madam snatched her ear rings.

4. Learned counsel for the petitioner submits that the allegation levelled against the petitioner is out and out civil in nature for which Title Suit No.74 of 2022 has been filed by the petitioner against the complainant for specific performance of contract, which is pending for final adjudication. Further submission is that the allegation with regard to return of some of the amount by the complainant is completely false and fabricated. There is no documentary proof that the said amount was returned to the complainant. The dispute has to be decided in civil suit. Learned counsel further submits that four other co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 08.10.2025 passed in Cr. Misc. No.65516 of 2025 Lastly, it is submitted that the



petitioner has no criminal antecedents.

5. Learned APP as well as learned counsel for the opposite party no.2 has opposed the prayer for bail. Learned counsel for the opposite party no.2 submits that the petitioner is a veteran litigant. He has created several forged deed of agreement to sell against different persons. It is also submitted that the learned Addl. Sessions Judge while rejecting the prayer of the petitioner for anticipatory bail has observed in the impugned that there is no signature of the petitioner on the deed of agreement to sell which creates doubt about the validity of the agreement to sell.

6. With regard to the aforesaid observation in the impugned order while rejecting the prayer of the petitioner for bail especially when a title suit is pending for final adjudication on the same point, this Court is of the view that the same was unwarranted and there was no occasion to give such observation.

7. Be that as it may, having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Patna City, in Complaint Case No.596 of 2022, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

8. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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