

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73286 of 2024

Arising Out of PS. Case No.-1859 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

Subodh Kumar Singh S/O Late Brijnandnan Singh R/O House No- CC 81, P.
C. Colony, Kankarbagh, P.O- Lohia Nagar P.S- Kankarbagh, District- Patna
... .. Petitioner/s

Versus

1. The State of Bihar
2. Safdar Jamil S/o Late Jamil Ahmad R/o Mohalla - Belwarganj, P.S. -
Alamganj, Distt. - Patna
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-07-2025 Heard Mr.Arvind Kumar, learned counsel for the
petitioner and Mr.Uday Pratap Singh, learned APP for the
State.

2. The present application has been filed for
cancellation of bail of opposite party No.2 which was granted
vide order dated 10.07.2024 passed in A.B.P.No. 1722 of 2024
by the learned Addl. Sessions Judge-XXIII, Patna in connection
with Complaint Case No.1859(C) of 2024.

3. Learned counsel for the petitioner submits that the
learned court below while granting bail to opposite party No.2
wrongly observing transaction as of civil nature despite the fact
that materials on record further supported by enquiry witnesses
and cognizance u/s 406/ 420/467/471 IPC clearly establishes



fraud and forgery on the part of opposite party No.2 and the transaction not being of civil nature as no dispute with regard to give and take rather the opposite party No.2 with malafide intention to swallow up money of Rs. 35 lakhs (Thirty Five Lacs) in the name of false and fabricated agreement paper between opposite party No.2 (broker) and Sesnath Singh and Usha devi (land owners) whereas learned court below completely ignoring cognizance order and fraudulence and forgery and criminal ingredient in this case have granted bail to opposite party No.2 causing irreparable damage to the petitioner.

4. From a bare perusal of the pleadings in the present Cr. Miscellaneous application which suggests that the petitioner has also initiated a Money Suit bearing No.219 of 2023 against the opposite party No.2 for the same set of relief as Complaint Case No.1859(C)of 2023.

5. In view of the aforesaid, no case is made out for interference for cancellation of bail of opposite party No.2.

6. It is, accordingly, dismissed.

(Rajesh Kumar Verma, J)

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