

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3799 of 2026

Arising Out of PS. Case No.-766 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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1. Shakuntla Devi W/o- Pradeep Choudhary @ Pradeep Prasad Choudhary @ Pradeep Prasad Village- West Gopalpur, PS- Motihari Town, District- East Champaran
 2. Pradeep Choudhary @ Pradeep Prasad Choudhary @ Pradeep Prasad S/o- Late Asharfi Prasad Choudhary Village- West Gopalpur, PS- Motihari Town, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar Singh S/o- Ramagya Singh R/v- Majuraha Ps- Raghunathpur Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sriram Krishna, Adv. Mr. Amarjeet, Adv.
For the State	:	Mr. Ramesh Chandra, APP
For the OP-2	:	Ms. Priyanka Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 13-07-2026 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 316(2), 318(4), 336, 338, 3(5) of the Bhartiya Nyaya Sanhita.

3. Informant alleged that he entered into an agreement with accused persons for purchasing of piece of land on a total consideration amount of Rs. 3.25 crores, out of which, informant paid Rs. 85 lakhs through different modes. Informant



further alleged that he came to know that one title suit was already pending against the same land and accused persons by concealing this fact grabbed Rs. 85 lakhs of informant and when informant demanded his money, accused persons refused to pay and also threatened to kill him.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence and have been falsely implicated in this case due to ulterior motive. Petitioners have not concealed the fact of pendency of title suit against the said land. However, by filing 2nd supplementary affidavit (in paragraph – 5), learned counsel for the petitioners submits that petitioners are ready to pay/refund **Rs. 25,00,000/-** (Rupees Twenty Five Lakhs) to the informant/opposite party no. 2 in installments.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, as named above, be enlarged on **provisional bail** on furnishing bail bond of **Rs.15,000/-** (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 766 of 2025,



subject to the conditions laid down under section 482 of the
B.N.S.S. as well as on following conditions:-

“(i) At the time of furnishing bail bond, the petitioners shall pay Rs. 5,00,000/- (Five Lakhs) through demand draft to the informant and receipt of the same shall be furnished along with bail-bonds.

(ii) Rest amount i.e. Rs. 20,00,000/- (Twenty Lakhs) shall be refunded in four installments of Rs. 5,00,000/- each to the informant by these petitioners through demand draft within a period of six months from the date of furnishing bail-bonds.

(iii) If the petitioners comply with the conditions, the court below shall confirm the provisional bail, otherwise court below shall be at liberty to cancel the bail bonds of these petitioners.”

6. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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