

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6701 of 2026

Arising Out of PS. Case No.-1068 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Chandan kumar S/O Sibu Sah R/O Village-Simraha, Ward no. 35, P.S. and
District- Saharsa

... .. Petitioner

Versus

1. The State of Bihar
2. Raja Ram Yadav S/O Late Siyalal Yadav R/O Village- Amha Tola Saprdaha,
Ward No.-8, P.S and Distt.- Supaul.

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, A.P.P.
For the Informant	:	Mr. Madhukar Mohan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr. Pramod Mishra, learned counsel for the

petitioner, Mr. Madhukar Mohan, learned counsel for the

informant/complainant and Mr. Ajit Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.11.2025 in connection with Complaint Case No. 1068(C) of
2022 for the offences punishable under Sections 406, 420 and
120(B) of IPC.

3. The prosecution story, in brief, is that the petitioner
in conspiracy with others have defalcated a huge sum of money
i.e. about Rs. 3,01,000/- with the help of other accused persons
by selling the land in dispute on which already a title suit is



pending in the court on that disputed land. As per allegation, petitioner along with other co-accused persons under a planned conspiracy cheated the complainant and tried to sell the disputed land for Rs. 14, 85,000/- and took Rs, 3,01,000/- in which Rs. 2,50,000/- cash and Rs. 51, 000/- through cheque, he then asked the petitioners to return the money but they refused to return the money to the complainant. There are ample materials against the petitioners in the case dairy. Petitioner is in judicial custody since 29/11/2025. As per complaint petition and materials facts adduced by the prosecution, the allegations leveled against the petitioner is highly serious in nature and crime is against the civic society.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that, in fact, the petitioner has returned the amount in question to the complainant and complainant after some time with ulterior motive has filed the present complaint case against the petitioner and the co-accused persons. The co-accused person



person, namely Shibu Sah, who is happened to be the father of the petitioner, who has entered the agreement with the complainant has been granted anticipatory bail *vide* order dated 26.02.2026 passed in Cr. Misc. No. 13116 of 2026. It is also submitted that, in fact, the complainant has given the amount aforesaid to the father of the petitioner and the petitioner has made an accused on the ground that he is son of the co-accused person and he has signed the agreement as witness.

5. The learned Additional Public Prosecutor and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner is a person with clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of JMFC, Saharsa in connection with Complaint Case No. 1068(C) of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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