

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3316 of 2025

Arising Out of PS. Case No.-361 Year-2019 Thana- COMPLAINT CASE - BIKRAMGANJ
District- Rohtas

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Sachchidanand Singh, Son of Late Shivmukh Singh R/o Village -Gopalpur,
PS -Dinara , Dist -Rohtas. Petitioner/s

Versus

1. The State of Bihar.
 2. Vivekanand Singh son of Late Shivmukh Singh R/o Village -Gopalpur, PS
-Dinara , Dist -Rohtas.
 3. Madhya Gramin Bank Basdihan, District- Rohtas.
- Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s :	Mr.Abhay Kumar, APP
For the opposite party no. 2:	Mr. Ramchandra Singh, Advocate
	Mr. Shankar Kumar, Advocate
	Mr. Radh Krishna, Advocate
For the Respondent/Bank:	Mr. Ajit Kumar Sinha, Advocate
	Ms. Dilkash Khan, Advocate
	Ms. Zeba Akhtar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

13 28-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Complaint Case No. 361 of 2019 registered for

the offences punishable under Section 420 of the Indian Penal

Code.

3. As per FIR, petitioner alleged to cheat complainant as

he by way of impersonating him mortgaged the property of his

share and obtained the bank loan of Rs. 5 lacs.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner obtained loan only against his share of land and this fact was in knowledge of the complainant. It is further submitted that for recovery of the loan, a proceeding is pending before the DRT. It is submitted that whatever liability will finalized by DRT shall be paid by this petitioner absolving the liability of opposite party no. 2.

5. In view of all such background, it is pointed out by the learned counsel appearing for the petitioner that disputes appears primarily civil in nature.

6. Learned APP opposed the prayer of bail.

7. Learned counsel appearing for complainant/opposite party no. 2, while opposing the prayer of bail submitted that the complainant was not aware about the mortgage, as submitted aforesaid. It is submitted that entire loan was drawn by the petitioner.

8. It is submitted by learned counsel appearing for Madhya Gramin Bank/opposite party no. 3 that certificate case is pending before the DRT, which ordered that amount of Rs. 12,20,440/- as on 30.09.2015 alongwith pendente lite and future interest @ 10% p.a. simple from 01.10.2015 till realization of the entire sum due and recoverable with costs. In support of his



submission, learned counsel supplied the related documents across the board, which was taken on record.

9. In view of aforesaid factual submissions and by taking note of fact as the disputes primarily appears related with recovery of loan, which is of civil in nature, for which a separate proceeding is pending before DRT, Patna, as submitted aforesaid by opposite party no. 3, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-12, Rohtas at Sasaram/concerned Court, where the case is pending in connection with Complaint Case No. 361 of 2019 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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