

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6619 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Paras Jain Son of Late Nemi Chand Jain @ Late Nemi Chandr Jain Resident
of Mohalla - Thakurbari Gali, Marwari Bazar, Police Station - Samastipur
Town, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahendra Pratap, Adv.
For the Informant	:	Mr. Kundan Kumar, Adv.
For the State	:	Ms. Pushpa Sinha-1, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard the learned counsels the parties.

2. The petitioner is apprehending his arrest in connection with Samastipur Muffasil P.S. Case No. 346 of 2025 registered for the offence(s) under Section(s) 318(4), 338, 336(3), 340(2), 351(2), 308(3), 308(4), 119(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the allegation in the First Information Report, the petitioner is said to be the identifier of a forged sale-deed.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence.



It has been submitted that even if the allegation is taken on its face value, the allegation is upon co-accused persons, namely, Suresh Prasad, Kundan Kumar and Gunjan Kumar, who were the executors and the beneficiaries of the sale-deed. It has further been submitted that the petitioner stood only as an identifier and it is also not the case of the informant that he has received any consideration amount out of the same. It has also been submitted that this case is out an out a civil dispute, which has given a criminal colour. It has further been submitted on behalf of the petitioner that he carries one criminal case against his name, bearing Samastipur Town P.S. Case No. 160 of 2022, in which he is on bail. It has lastly been submitted that the other similarly situated accused persons, namely, Kundan Kumar @ Kundan Kumar Rai, Suresh Prasad and Gunjan Kumar have been granted the privilege of anticipatory bail by different Benches of this Court *vide* orders dated 24.12.2025, 05.01.2026 and 04.02.2026 passed in Cr. Misc. Nos. 86173/2025, 88269/2025 and 5617 of 2026 respectively.

5. The learned A.P.P. for the State as well as the learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and have stated that the petitioner was in



connivance with the other co-accused persons and hence he cannot be absolved of the liabilities in the present case. The learned counsel for the informant, however, does not dispute the fact that the other similarly situated accused persons, referred to above, have been granted anticipatory bail by different Benches of this Court.

6. Considering the facts and circumstances of the case, the submissions advanced on behalf of the parties and the fact that similarly situated accused persons have been granted anticipatory bail by different Benches of this Court, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Samastipur Muffasil P.S. Case No. 346 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

- (i) One of the bailors of the petitioner shall be his



close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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