

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19891 of 2025**

Arising Out of PS. Case No.-61 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Narayan Kumar Mallick @ Narayan Mallick S/o- Raghuv eer Mallick
Resident of Lohiya Nagar PS- Sahayak, Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandan Kumar Yadav S/O- Uday Yadav, vill-Ratan, ps- gogri jamalpur,
dist.- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay Mr. Abhigyan Kumar
For the State	:	Mr.Ashok Kumar Singh
For the Informant	:	Mr. Suresh Prasad Sah

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

6 24-02-2026 Heard learned counsel for the petitioner, learned counsel
for the informant and learned Additional Public Prosecutor for the
State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 406, 420, 467, 468, 471, 120(B)
of the Indian Penal Code.

3. Allegation against the petitioner is of cheating the
informant of Rs. 11,00,000/- by not registering land in favour of
informant despite an agreement.

4. Learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the present case as he



had no intention to commit any cheating right from the inception. The petitioner is the Director of a company namely, Manokamna Infra Project Pvt. Limited and he was engaged in the business of sale and purchase of land. The present case has been filed after a delay of about two days. The land owner of the land in question has committed the offence, if any, as he is the person who has not provided the deed in favour of the informant. It is further submitted that the dispute in any case is civil in nature and the informant has option to take recourse to alternative remedies. It has also been submitted that other co-accused person of this case being Sanjay Kurmi has been granted bail by a bench this Court vide order dated 08.07.2024 passed in Cr. Misc. No. 9428 of 2024 the petitioner is in custody since 19.11.2024 and charges have been framed.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail on the ground that the petitioner has cheated the informant of his hard earned money and other cases of similar nature have also been filed against the petitioner, as such, he is a habitual offender.

6. Taking into consideration the facts and circumstances and also considering that the petitioner has been made an accused in cases under Section 406 and 420 of the IPC which are Magisterial triable cases and also considering the fact



that the petitioner is in custody since 19.11.2024 and till date only charges have been framed and no witness has been examined leading to the inference that there is no likelihood of the trial being concluded in near future, the petitioner cannot be kept behind bars for a very long span of time, as such, he is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katihar Muffasil P.S. Case No. 61 of 2023, subject to the conditions that:

(I) One of the bailors will be a family member/close relative.

(II) The petitioner shall appear on each and every date till conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the trial court would take immediate steps to cancel the bail bonds of the petitioner.

(III) Trial court is also directed to proceed expeditiously with the case without giving unnecessary adjournments.

(Soni Shrivastava, J)

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