

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19401 of 2026

Arising Out of PS. Case No.-257 Year-2025 Thana- BIRAUL District- Darbhanga

Kamal Narayan Chaudhary @ Kamal Nayan Chaudhary S/o- Indradeo Chaudhary R/v- Ward no. 17, Phulhara, PS - Singhiya, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Sharma, APP
For the Informant	:	Mr. Ajay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2026 Heard Mr. Abhay Kumar Thakur, learned counsel for the petitioner, Mr. Sanjay Kumar Sharma, learned Additional Public Prosecutor for the State as well as Mr. Ajay Kumar, learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since 29.01.2026 in connection with Biraul P.S. Case No. 257 of 2025, F.I.R. dated 18.07.2025 for the offences punishable under Sections 126(2), 115(2), 316(2), 318(4), 351(2), 352, 303(2), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, on 04.09.2023, an agreement was prepared between petitioner and informant regarding Rs.20,69,131/- and it was agreed to return the same within six months but after lapse of six months, the amount was



not returned and on 03.06.2025, the petitioner and other accused persons called informant at Rasalpur chowk. It is further alleged that petitioner and others snatched original agreement paper and cheque book and also snatched Rs.10,000/- from informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. The present case pertains to civil dispute. Infact petitioner has returned the amount in question. It appears from the FIR that date of the occurrence was on 03.06.2025 but the FIR was lodge on 18.07.2025 i.e. after delay of about 45 days, after thought only to falsely implicate the petitioner in the present case due to previous dispute and the petitioner is in custody since 29.01.2026.

5. The learned Additional Public Prosecutor for the State and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 ACJM, Biraul, Darbhanga in connection with Biraul P.S. Case No. 257 of 2025, 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 cancelled 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)

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