

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30255 of 2026

Arising Out of PS. Case No.-88 Year-2025 Thana- DELHA District- Gaya

Vinod Kumar S/o Krishna Prasad R/o Village- Hulasganj, P.S- Hulasganj,
Dist- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-07-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Delha P.S. Case no. 88 of 2025 registered under sections 316(2), 318(4), 352 and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that she purchased a three storied house in question for a total consideration of Rs.40 lakhs from the petitioner. As per the allegations, inspite of the assurance, she did not receive vacant possession of the house/property in question and on reaching the house, it transpired that some other person was residing there. On enquiry, it transpired that there is some transaction between



the vendor/petitioner and the person residing in the house besides there is also some bank loan against the property in question. The informant states that she has been cheated by the petitioner inspite of having paid total consideration of Rs.40 lakhs.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case which is a purely civil dispute on the face of the allegations. The same arises out of a registered sale deed with respect to an immovable property. There is no dispute with respect to the fact that the title of the property belongs to the petitioner and a registered sale deed was executed in favour of the informant. The petitioner is in custody since 20.1.2026 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is named in the FIR and there is direct allegation against him that inspite of having taken the total consideration amount of Rs.40 lakhs for the property in question, inspite of the assurance, he did not handover vacant possession of the house to the informant.

6. It is further submitted by learned counsel for the



informant that on earlier occasion, learned counsel for the petitioner had been asked to take instruction as to whether the petitioner was ready to refund the total consideration or not. It may only be observed here that the same is not reflected from the order dated 11.5.2026.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR together with the petitioner having remained in custody since 20.1.2026, not having any criminal antecedent and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Delha P.S. Case no. 88 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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