

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24917 of 2026

Arising Out of PS. Case No.-942 Year-2024 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

=====

Sunil Kumar Singh S/O Late Daroga Singh R/O Village- Khapeda, PS-
Akhorigola, District- Rohtas At Present, R/O Mohalla- New Diliyan Sambika
Path, PS- Dehri, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tarkeshwar Prasad Singh S/O Late Daroga Singh R/O Village- Khapeda,
PS- Akhorigola, District- Rohtas At Present, R/O A.B.R. College, Awadhut
Nagar, PS- Sasaram, District- Rohtas

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Rakesh Singh, Advocate
For the State	:	Mr. Choubey Jawahar, APP
Fo the OP no.2	:	Mr. Manish Kumar no.1, Advocate Mr. Rohit Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 22-04-2026
1. Heard learned Senior counsel for the petitioner,

learned APP for the State and learned counsel for the opposite

party no. 2 who has appeared *suo moto*.

2. The petitioner has preferred this application for

grant of anticipatory bail apprehending his arrest in connection

with Complaint Case no. 942 of 2024 registered under section

316(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states

that he himself, the petitioner and others are full brother

between whom the partition has taken place in the year 2012.



Thereafter the complainant proceeds to mention about the value of DBS Construction being Rs.3.40 crores, Anish Hotel worth Rs.60 lacs and other properties which has been retained by the accused persons i.e. his brothers including the petitioner herein. It is further stated by the complainant that the accused have retained Rs.36.25 lacs of his which should be returned to him. It is further stated that the partition being a family arrangement, no document was prepared. Even on an earlier occasion in the year 2022, a complaint had been lodged under sections 420 and 406 of the Indian Penal Code besides other sections which was finally set aside by order dated 24.7.2024 passed in Cr. Revision no.292 of 2023 by the Additional District and Sessions Judge-11. The complainant finally states that the petitioner told him that he would not return his share of Rs.36.25 lacs.

4. It is submitted by learned Senior counsel appearing for the petitioner that from the relationship between the parties and the contents of the complaint petition, it would be evident that it is a case of family dispute between the parties relating to distribution of properties though as per the case of the complainant himself, partition has taken place between them in the year 2012 itself. It is further submitted that filing of the instant case is an abuse of the process of the Court. The



petitioner undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the opposite party no. 2. Learned counsel for the opposite party no. 2 submits that the petitioner is named in the complaint and there is direct allegation against him of having cheated the complainant of a large sum of money. It is not a case for grant of anticipatory bail.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the complaint, the relationship between the parties and the nature of allegation, in the facts of the case, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no. 942 of 2024 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 Judicial Magistrate 1st Class, Rohtas at Sasaram.

(Partha Sarthy, J)

saauravkrsinha/-

U		T	
---	--	---	--

