

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25886 of 2026

Arising Out of PS. Case No.-632 Year-2025 Thana- GARKHA District- Saran

Vijay Rai @ Vijay Ray S/o Ramawatar Rai Resident of Village- Tikhan
Maricha, P.S.- Garkha, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dewanand Tiwari, Advocate
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 24-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Garkha P.S. Case No. 632 of 2025 in a case registered for the offence punishable under Sections 316(2), 318(4), 126(2), 115(2), 352, 3(5) of the BNS.

3. As per the prosecution case, the informant purchased land from co-accused Rakesh Kumar Singh for Rs. 6,50,000/- based on false assurance that the title was clear. Following the transaction, it was discovered that the land had been previously sold by the father of the accused and despite a written agreement to refund the money, the accused person, Rakesh Kumar Singh refused to return the consideration amount.

4. Learned counsel for the petitioner submits that it would be apparent from the narration of the first information



report itself that the role of the petitioner is confined to holding a meeting between the informant and one Rakesh Kumar Singh, who was owner of the land which was shown to the informant by the petitioner. It is further submitted that admittedly, the amount of Rs. 6,50,000/- was paid to Rakesh Kumar Singh, in lieu of the registry of the said plot of land. Further, the said Rakesh Kumar Singh also executed an agreement separately stating therein that if title of the land would be defective, he would return the amount to the informant. On such facts, it has been submitted that it is Rakesh Kumar Singh, who is mainly responsible for any allegation of cheating the informant.

5. Learned APP for the State has opposed the application for anticipatory bail on the ground that the petitioner also had a role to play in the said transaction and he also has criminal antecedent.

6. In response of the same, it has been submitted that the petitioner is on bail in the said cases.

7. Taking into consideration the facts and circumstances and also considering the fact that the registry of land was made by one Rakesh Kumar Singh and money was also paid to him, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Garkha P.S. Case No. 632 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the conditions that:

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

(II) The petitioner shall cooperate in the investigation/trial and in case of non-cooperation, the prosecution would be at liberty to move an application for cancelling the bail bonds of the petitioner.

(Soni Shrivastava, J)

priyanka/-

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

