

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36211 of 2026

Arising Out of PS. Case No.-162 Year-2024 Thana- DHARHARA District- Munger

Rahul Kumar Singh @ Rahul Kumar S/O Vimal Singh @ Bimal Kumar Singh
R/O Vill.- Mohanpur, P.s.- Dharhara, Dist.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2026 The Court proceeding is being conducted through
virtual mode.

2. None appears on behalf of the petitioner in-spite of the fact that there are three Advocates on record namely, Mr. Kundan Kumar Ojha, Advocate, Mr. Navneet Prabhakar, Advocate and Mr. Saurabh Singh, Advocate. However, learned APP for the State is present.

3. The petitioner is apprehending arrest in connection with Dharhara P.S. Case No. 162 of 2024, lodged on 28.06.2024, for the offence punishable under sections 406, 420, 504 & 506 of the Indian Penal Code.

4. As per the prosecution, FIR has been lodged against the sole petitioner. It has been alleged by the informant that the petitioner took an amount of Rs. 3,00,000/- (Rupees Three



Lakhs) from him on the pretext of getting job in CRPF. He further alleged that he paid the said amount in the bank account of the petitioner. Subsequently, the petitioner refused to return the said amount to the informant which resulted into filing of the present case.

5. It has been pleaded in the bail petition that the petitioner is innocent and has committed no offence. It has been further pleaded that there is no specific allegation showing dishonest or fraudulent intention at the very inception of the alleged transaction, on the part of the petitioner, and mere failure of promise of non-arrangement of employment does not constitute cheating and the story of voluntary payment allegedly made on assurance does not constitute an offence of criminal breach of trust. It has also been pleaded that no offence under sections 420 & 406 of the IPC attracted here in the present case. It has been further pleaded in para 11 of the bail petition that without admitting the allegations and purely to demonstrate bonafide intention and to bring quietus to the dispute, the petitioner is ready and willing to settle the monetary dispute and undertakes to pay the entire amount of Rs. 3 lakhs to the informant. It has been stated in para 3 of the bail petition that the petitioner has clean antecedent.



6. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that in para 11 of the bail petition, it has been pleaded that the petitioner is ready and willing to settle the monetary dispute and undertakes to pay the entire amount of Rs. 3 lakhs.

7. In the light of the pleadings made, it is necessary to quote the relevant para 11 of the bail petition which reads as under:-

“That is it humbly submitted that, that without admitting the allegations and purely to demonstrate bonafide intention and to bring quietus to the dispute, the petitioner is ready and willing to settle the monetary dispute and undertakes to pay the entire Rs. 3,00,000/- as directed by this Hon’ble Court.”

8. In the present facts and circumstances of the case, let the above named petitioner be released on **provisional bail**, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of A.C.J.M.-III, Munger, in connection with Dharhara P.S. Case No. 162 of 2024, subject to the conditions as laid down U/s 482(2) of the



B.N.S.S., 2023 with further condition:-

A. The petitioner shall pay Rs. 3,00,000/- (Rupees Three Lacs) to the informant in the form of Demand Draft, on the day he shall surrender or in the event of arrest before the trial court and produce his bail bond.

9. After complete payment of Rs. 3,00,000/- (Rupees Three Lacs) to the informant as mentioned above, the Trial Court shall confirm the provisional bail of petitioner. In case of failure of above condition, provisional bail granted to the petitioner by this Court shall be cancelled.

10. Accordingly, the present bail application is hereby disposed off.

(Dr. Anshuman, J)

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