

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40908 of 2026

Arising Out of PS. Case No.-1348 Year-2025 Thana- PHULWARISHARIF District- Patna

1. Vijay Singh Son of Late Dhanushdhari Singh Resident of Rastriyaganj, P.S.- Phulwarisharif, District- Patna, Bihar.
2. Chandan Kumar Son of Vijay Singh Resident of Rastriyaganj, P.S.- Phulwarisharif, District- Patna, Bihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Basant Kumar Tripathy, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Phulwarisharif (Janipur P.S.) P.S. Case No. 1348 of 2025 registered for the offences punishable under Sections 316(2), 318(4), 324(5), 126(2), 115(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, informant alleged that petitioner no. 1 executed an agreement with his wife for business purpose, but not acted upon and thus by cheated Rs. 15 Lakhs.

4. Learned counsel appearing on behalf of the petitioners submitted that the informant is doing real estate business



including manufacturing of Bricks under the name and style of M/s Star Bricks, where the wife of the informant is one of the director with whom petitioner no. 1 entered into an agreement for a project, where petitioner no. 1 was under obligation to pay Rs. 15 Lakhs to the company of the wife of the informant, but immediately after executing the agreement with wife of the informant, elder son of petitioner no. 1 becomes ill facing renal problem and was under treatment at Delhi for long period and out of said hardship, he could not acted upon agreement as executed with the wife of the informant.

5. It is submitted that agreement in issue was cancelled by the wife of the informant. It is pointed out that the dispute is primarily civil in nature, where without any occasion petitioner no. 1 & petitioner no. 2 namely, Chandan Kumar, who is the son of petitioner no. 1 were implicated falsely with present criminal case. Both petitioners claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and by taking note of the fact as the dispute between the parties primarily appears civil in nature, where the agreement in issue was signed between petitioner no. 1 and the wife of the



informant, was subsequently cancelled by the informant's company, accordingly, above-named petitioners, who are men of clean antecedent, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Patna/concerned court in connection with Phulwarisharif (Janipur P.S.) P.S. Case No. 1348 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

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