

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42012 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- ARARIA District- Araria

Gurudeo Kumar Son of Sri Deonarayan Yadav Resident of Mahalgaon, Near
Tower, Ward No. 4, P.S.- Mahalgaon, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Araria P.S. Case No. 45/2026 registered for the offences punishable under Sections 316(2), 316(5) and 318(4) of the BNS.

3. As per FIR, petitioner failed to deliver different goods of the informant company to the different customers between 02.09.2025 to 31.10.2025 worth of Rs. 2,86,288/-.

4. It is submitted by learned counsel appearing on behalf of the petitioner that due to certain official disputes present false allegation was raised against this petitioner. It is submitted that departmental proceeding is under progress in furtherance of show cause notice as issued on 25.10.2025 against this petitioner and, therefore, prior to arriving on any conclusion that any cheating was made on part of this petitioner,



the lodging of the present criminal prosecution is completely un-occasioned and unwarranted. It is submitted that last occurrence took place on 31.10.2025 in terms of FIR, where FIR in issue was lodged on 28.01.2026 with the delay of two months, without having any just explanation.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of the fact as the FIR in issue prima-facie not appears convincing for allegation of cheating *qua* petitioner, coupled with the fact as FIR in issue appears lodged with an inordinate delay of two months, without having any just explanation, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria/concerned Court, where the case is pending in connection with Araria P.S. Case No. 45/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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