

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42000 of 2026**

Arising Out of PS. Case No.-51 Year-2026 Thana- HARSIDHI District- East Champaran

1. Vinod Kumar, Son of Pannalal Singh,
2. Suresh Kumar, Son of Pannalal Singh  
Both of resident of Village-Panapur, P.S.-Harsidhi, District-East Champaran,  
Motihari

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                          |   |                                                             |
|--------------------------|---|-------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. S.K. Lal, Senior Advocate<br>Mr. Rajesh Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Rajiv Nayan, APP                                        |
| For the Informant        | : | Mr. Sitesh Kashyap, Advocate                                |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      02-07-2026                      Heard learned counsel for the petitioners and  
  
learned Additional Public Prosecutor for the State duly  
  
assisted by learned counsel appearing for the informant.

2. Both accused/petitioners is named in the FIR  
  
and apprehending their arrest in connection with Harsidhi  
  
P.S. Case No.51 of 2026 registered under Sections 318(4),  
  
316(2), 308(4), 111(2)(b), 351(2) and 352 read with 3(5)  
  
of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. Allegation against petitioners is to cheat the  
  
informant to the tune of Rs.2,81,00,000/-, as despite  
  
receiving of fruits of the same value, they failed to pay the



informant's company i.e. M/s. Maa Chamunda Fruits Centre through which, the petitioners received the supply of fruits.

4. Mr. S.K. Lal, learned senior counsel appearing for the petitioners submitted that the present allegation is maximum *qua* recovery of dues arising due to admitted fruit supply to the petitioners and his family members/others co-accused persons. It is submitted that the informant himself speaks through present FIR that initially the payment was made by the petitioners against supply of fruits but, subsequently, for last couple of years, the payment was not made against credit supply for the tune of Rs. 2,81,00,000/-, which itself suggest that the petitioners were not under intention to cheat the informant and others from very inception of the business deal. The petitioners claimed clean antecedent.

5. Learned APP duly assisted by Mr. Sitesh Kashyap, learned counsel appearing for informant, while opposing the prayer of bail submitted that the petitioners and other co-accused persons after repeated assurance failed to pay Rs.2,81,00,000/- to the informant's company against



supply of the fruits. It is pointed out that he has doubt *qua* clean antecedent of the petitioners.

6. In view of aforesaid factual submissions and by taking note of fact, as the dispute primarily appears civil in nature i.e. for recovery of outstanding dues arising out of business deal, coupled with the fact that the facial aspects of FIR suggest that the petitioners were not under intention to cheat the informant from very inception of the business deal i.e. supply of fruits, accordingly, both petitioners, above-named, in the event of their arrest or surrender in the court below within a period of four weeks from today, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Harsidhi P.S. Case No.51 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

7. The learned trial court is directed to verify the



criminal antecedent of the petitioners at the time of  
furnishing of the bail bond in view of averment as made on  
affidavit that they have no criminal antecedent and if,  
petitioners found involved in any other criminal case prior to  
lodging this FIR, their bail bonds shall not be accepted.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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