

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46272 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

1. Saheblal Son of Late Pahwari Lal Resident of Village- Sasamusa, P.S.- Kuchaikote, District- Gopalganj
2. Sunita Devi W/o Saheblal Resident of Village- Sasamusa, P.S.- Kuchaikote, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Anita Kumari, APP

Mr. Dharamveer, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-07-2026 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 316(2), 318(4) and 61(2)(B) of the Bhartiya Nyaya Sanhita.

3. It is alleged that in the year 2023, these petitioners, who are husband & wife, and their son Mankeshwar induced informant to purchase their land with constructed house thereon on a consideration amount of Rs. 75,00,000/- (Seventy five lakhs) and thereafter, informant paid total money in cash to these petitioners for execution of sale-deed, for which, an agreement was also prepared, but despite receiving full



consideration money, neither petitioners executed sale-deed in favour of informant nor returned his money.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence. As a matter of fact, informant is a money lender and therefore, petitioner had taken a loan of Rs. 30 Lakhs from him, which after calculation of interest came to Rs. 46 lakhs & 41 thousand, and accordingly, petitioners returned said amount to informant through cash/online, of which, informant also gave receiving, which is available at Annexure P/2. However, informant calculated the loan with interest, as 75 lakhs, and thereafter, he took the signature of petitioners on blank paper and falsely prepared an agreement for sale of petitioners' entire property. In this regard, petitioners have already lodged an F.I.R., vide Kuchaikote P.S. Case No. 75 of 2026, against informant and his son-in-law. Learned counsel lastly submits that at best, it is a case of breach of agreement, which is purely civil in nature.

5. Learned counsel for the informant vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be



enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Kuchaikote P.S. Case No. 53 of 2026, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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