

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60343 of 2025

Arising Out of PS. Case No.-11 Year-2019 Thana- KAHALGAON District- Bhagalpur

Kanhaiya Kumar S/O Awadesh Singh Village- Jamal Bigha, P.S.-Khusrupur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Singh

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 26-02-2026 Heard the learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner apprehends arrest in connection with Kahalgaon P.S. Case No. 11 of 2019 registered for offences under Sections 420, 467, 468 and 120B of the Indian Penal Code.

3. As per the prosecution case, the petitioner is one of the accused who is alleged to have cheated the informant.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence. He further submits that similarly situated co-accused who are alleged to have cheated the informant have been granted bail by co-ordinate Benches of this Court in Cr. Misc. No. 41269 of 2019 dated 10.07.2019 and in Cr. Misc. No. 10546 of



2020 dated 07.12.2021. He further submits that an amount of Rs. 50,000/- has come in the account of the petitioner and without accepting his guilt, the petitioner is ready to return that amount to the informant in the next three months.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and the submissions of the parties, this application for anticipatory bail stands allowed.

7. Accordingly, let the petitioner, above-named, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Kahalgaoon P.S. Case No. 11 of 2019 subject to the conditions as laid down under Section 482(2) of the BNSS and with a further condition that:-

(I). At the time of furnishing the bail bonds, the petitioner shall produce a demand draft of Rs. 25,000/- in the name of the informant. The bail bonds shall be accepted only upon production of the aforesaid demand draft, which shall then be released in favour of the informant by the Court below. In default thereof,



*appropriate orders shall be passed by the Court below.
After accepting the bail bonds, the Court below shall
release the petitioner on interim bail.*

*(ii). Rest of the amount i.e., Rs. 25,000/-
shall be paid to the informant by the petitioner after the
release of the petitioner in the next two months failing
which the bail bonds of the petitioner shall be
cancelled. However, if the petitioner deposits the entire
sum of Rs. 50,000/- within a period of three months
from the date of this order, the interim bail granted to
the petitioner shall be confirmed by the Court below.*

(Sandeep Kumar, J)

Shishir/-

U		T	
---	--	---	--

