

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.64748 of 2025

Arising Out of PS. Case No.-888 Year-2016 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Sunil Kumar Jaiswal @ Sunil Jaiswal S/o Late Ram Nath Jaiswal R/o
Mohalla- Chandan Nagar, Bageshwari Astha, Gulabbagh, P.S.- Sadar,
District- Purnea, At present R/o Line Bazar (Near the Resident of Dr. Raj
Kumar Eye Specialist), P.S.- K.Hat, District- Purnea, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Paras Kumar Jaiswal S/o Late Janki Prasad Jaiswal Resident of Chandan
Nagar, Bageshwari Asthan, Gulab Bagh, P.S.- Sadar, District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Kumar
For the State	:	Mr.Anish Chandra
For the O. P. No. 2	:	Mr. Bhola Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

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| 4 | 24-02-2026 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner, learned Counsel
for the complainant/Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. 888 of 2016, in which the learned
District Court has taken cognizance for the offences
punishable under Sections 420/465/467/468 of the Indian
Penal Code.3. The prosecution case, as per the complaint petition, is that
the complainant and the petitioner entered into an |
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agreement for running a rice mill in the land owned by the wife of the complainant. The petitioner invested a sum of Rs. 6,00,000/- in the establishment and running of the rice mill. The partners failed to deliver the agreed quantity of rice to the Bihar State Food Corporation, due to which a sum of Rs. 34,80,420/- fallen due upon the petitioner and the complainant to be paid to the Bihar State Food Corporation. It has further been alleged that to evade payment, the petitioner fabricated and a fake partnership dissolution deed, dated 03.04.2013 was prepared falsely claiming that their partnership ended before the defalcation. The forged document carried the fake signature of the complainant and his wife and was produced before the Court to mislead.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the allegation that the petitioner has forged and fabricated the dissolution deed is not correct and can be decided in a full-fledged trial. He further submits that in the dissolution deed, notary seal is also there.
5. On the other hand, learned Counsel for the complainant- Opposite Party No. 2 vehemently opposes the prayer for



anticipatory bail and submits that for recovery of a sum of Rs. 34,80,420/- the Bihar State Food Corporation has lodged Certificate Case No. 678 of 2024 against both the partners and the petitioner, in order to evade payment of his share to the Bihar State Food Corporation, has prepared a forged and fabricated dissolution deed.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the allegation against the petitioner is based upon documents, which can be tested in the trial, and custodial interrogation of the petitioner may not be required, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate Purnea, in connection with Complaint Case No. 888 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal



Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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