IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66131 of 2026
CNR No. BRHC010919962026
Arising Out of PS. Case No.-21 Year-2026 Thana- TANDWA District- Aurangabad

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Chaturbhuj Mehta S/O Late Vishammar Mehta R/O Vill- Aashik Nagar Kandda, PS- Mohammadganj, Distt- Palamu(Jharkhand)

... ... Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kant Mehta S/o Late-Ramchandra Mehta, R/o Vill.-Kanchan Bara, P.S.-Tandwa, Dist.-Aurangabad

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP
For the Informant/s : Mr. Aman Vishal, Advocate
Mr. Leelawati Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

3 04-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Tandwa P.S. Case No. 21 of 2026 dated 27.02.2026 registered for the offences punishable under Sections 318, 336, 308, 61(2), 115, 338, 60 and 352 of the B.N.S.

3. Initially a complaint was filed, which was subsequently sent to the police for registration of the FIR under the provisions of Section 156(3) of the Cr.P.C. As per the initial complaint of the informant, the complainant claimed to be the owner of brick kiln, when the accused persons named in the

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complaint petition came to the house of the complainant, where the petitioner asked the informant that he should provide monetary help, so as to purchase land. Thereafter, initially the complainant showed inability to give money, but the petitioner insisted that the complainant provide help as the deal was finalized. The complainant agreed to give Rs. 11 lacs in three installments, which was subsequently paid. The complainant also asked the petitioner to prepare a document, but the petitioner evaded it, as there was no necessity of executing any document for petty amount of Rs. 11 lacs in between them. It has further been alleged that after one year, the petitioner was asked to return the money, but the same was not returned, while the petitioner started evading the refund of the said amount. It has further been alleged that on 11.01.2025 at 11:00 AM, the petitioner along with other accused persons came in a four-wheeler vehicle without any numberplate, made a demand for the paper, which was prepared by the complainant at the time of giving money to the complainant and upon refusal to give such paper, the petitioner ordered to assault the complainant, after which all the accused persons started assaulting the complainant by means of fists and slaps as also abused him and thereafter fled away.

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4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It has further been submitted that the present FIR is nothing, but a retaliatory counter-blast to the case lodged by the son of the petitioner vide Tandawa P.S. Case No. 99 of 2024 registered for the offences punishable under Section 406, 419, 420, 467, 468, 120B, 323, 504 and 506 of the I.P.C., wherein the amount was received in the account of the informant. It has further been submitted that the allegation is purely civil in nature, which has given the colour of a criminal cloak. It has further been submitted that the informant has been extended the privilege of anticipatory bail by a Co-ordinate Bench of this Court by order dated 14.05.2025 passed in Cr. Misc. No. 6894 of 2025. A copy of the said order has been produced by the learned counsel for the petitioner. It has further been submitted that the petitioner is an old and infirm person aged about 70 years. It has lastly been submitted that the petitioner has no criminal antecedents.

5. Learned counsel for the State and learned counsel for the Opposite Party No.2 have vehemently opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the Opposite Party No.2 has further submitted that the petitioner had an intention of initial deception and the offence against him

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is made out and the petitioner has given in writing that he has received the said amount, in question, and the petitioner does not deserve the privilege of anticipatory bail.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the case as well as the fact that the allegation appears to be purely civil in nature, as also the fact that there are cases pending between the parties, and also the petitioner has got no antecedents, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Aurangabad, in connection with Tandwa P.S. Case No. 21 of 2026, subject to the conditions as laid down under section 482(2) of the B.N.S.S., with a condition:-

(i) One of the bailors of the petitioner should be a close family member.

8. The application stands allowed.

(Praveen Kumar, J)

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